



W.P(MD)No.3165 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.01.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.3165 of 2023

Chandrakala

... Petitioner

Vs

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Joint Director of Medical and
Rural Health Services, Ramanathapuram.

3.The Deputy Director of Health Services,
Health Department, Paramakudi,
Ramanathapuram District.

4.The Chief Medical Officer,
Government Hospital, Paramakudi,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the respondents 1 to 4 herein to take necessary action against the erring Medical Practitioner, Government Hospital, Paramakudi and direct the respondents to pay the compensation to the petitioner based on the representation dated 28.11.2022.

For Petitioner : Mr.A.Arputharaj

For RR 1, 2 & 4 : Mr.N.Ramesh Arumugam
Government Advocate



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ORDER

This Writ Petition has been filed by the petitioner for a direction directing the respondents 1 to 4 herein to take appropriate action as against the erred Medical practitioner of the fourth respondent and pay the compensation.

2.The petitioner was admitted in the fourth respondent Hospital on 25.05.2018 and had undergone operation of Appendix. However, the operation was done in a negligent manner and as such, the petitioner got infected and once again she was admitted in Velammal Medical College Hospital, Madurai on 05.06.2018 and discharged from the hospital on 12.06.2018. Therefore, the petitioner submitted a representation before the respondents to take appropriate action as against the medical practitioner of the fourth respondent and also seeking compensation.

3.It is completely a disputed question of facts and also if there is any deficiency in service, the petitioner can very well approach the civil Court for appropriate relief. Further, this Court is



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not a fact-finding Court and documents produced by the petitioner have to be gone into by expert opinion. In view of the above, the direction sought for in this Writ Petition cannot be considered. Hence, this Writ Petition is devoid of merits and the same is liable to be dismissed. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs.

31.01.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
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To

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Joint Director of Medical and
Rural Health Services, Ramanathapuram.
- 3.The Deputy Director of Health Services,
Health Department, Paramakudi,
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- 4.The Chief Medical Officer,
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G.K.ILANTHIRAIYAN, J.

ps

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