



W.P(MD)No.20083 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.20083 of 2025

1. Jayapriya

2. Sangeetha

... Petitioners

Vs

1. The Authorization Committee (Transplantation),
Represented by its Chairman,
Directorate of Medical Education,
No.162, Poonamalli High Road,
Kilpauk, Chennai-600 010.

2. The Kidney Care Center,
Represented by its Managing Director,
No.9B, Madurai Road,
Tirunelveli - 627 001.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to approve the kidney transplantation from second petitioner to the first petitioner without insisting no objection from spouse and children of the second petitioner and to perform the kidney transplantation on priority basis as early as possible within the time stipulated by this Court.



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For Petitioners : Mr.S.Malaikani

For R-1 : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the respondents to approve the kidney transplantation from second petitioner to the first petitioner without insisting on a no objection from the spouse and children of the second petitioner and to perform the kidney transplantation on a priority basis, as early as possible, within the time stipulated by this Court.

2. The contention of the petitioners is that the second petitioner is intended to donate a kidney to the first petitioner. However, the second respondent is insisting on obtaining a No Objection Certificate from the spouse and the children of the second petitioner to perform the kidney transplantation.

3. The learned Government Pleader appearing for the first respondent, on instructions, submitted that the petitioners ought to have approached the first respondent, which is the Authorization Committee for transplantation and the appropriate authority. Without approaching the first respondent, the petitioners have filed the present writ petition. He further submitted that there is no legal



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requirement to obtain a No Objection Certificate from the spouse and children of the second petitioner. An undertaking given by the second petitioner would suffice. The said submission is recorded.

4. In view of the above, the petitioners are directed to submit an application to the first respondent at the earliest. On receipt of such application, the first respondent after medically assessing the possibility of transplantation, shall pass appropriate orders in accordance with law, within a period of two weeks there from. It is made clear the respondents shall not insist on No Objection Certificate from the spouse and children of the second petitioner.

5. With the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

23.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
jbr

NOTE: Issue order copy on 23.07.2025



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To:

1. The Authorization Committee (Transplantation),
Represented by its Chairman,
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2. The Kidney Care Center,
Represented by its Managing Director,
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S.SRIMATHY, J.

jbr

ORDER MADE IN
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