

WP(MD) NO. 27526 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26-09-2025

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THE HONOURABLE MR JUSTICE G.R.SWAMINATHAN

WP(MD) NO. 27526 of 2025

and

WMP(MD)No.21415 of 2025

Boopathy

... Petitioner

Vs

1.The District Collector
Trichy District, Trichy.

2. The Dean,
Mahatma Gandhi Memorial
Government Hospital,
Trichy District, Trichy.

3. The District Child Welfare Officer,
O/o.District Child Protection Wing,
Trichy District, Trichy.

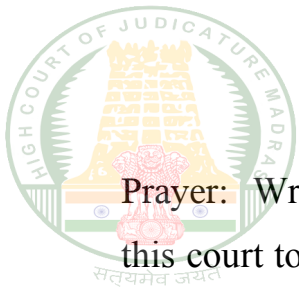
4. The Inspector of Police,
All Women Police Station,
Srirangam, Trichy District.

...Respondents

For Petitioner : Ms.G.Prabahari, Legal aid counsel

For Respondents : Mr.M.Lingadurai,
Special Government Pleader for R1 to R3

Mr.A.Albert James,
Government Advocate (crl.side) for R4



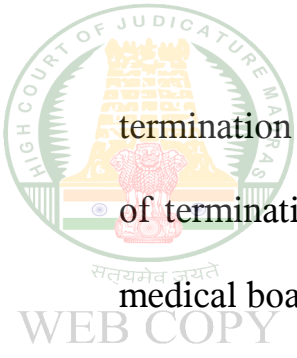
Prayer: Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus directing the 2nd respondent to terminate the pregnancy of the petitioner's minor daughter aged about 14 years, by the Government registered Medical Practitioner in accordance with Section 5 of the Medical Termination of Pregnancy Act, 1971 expeditiously and pass such further or other orders as this Court may deem fit and proper in the circumstances of this case and thus render justice.

ORDER

Heard both sides.

2.The petitioner is the mother of the petition-mentioned child. She is studying in 10th Standard and is aged about 14 years. The child had conceived on account of the incestuous sexual assault. In this regard, Crime No.28 of 2025 was registered on the file of the fourth respondent. The pregnancy appears to have crossed 28 weeks. She has therefore filed this writ petition to direct the medical authorities to terminate her daughter's pregnancy.

3.Since the length of the pregnancy has exceeded 28 weeks, clearance of the medical board is required. I am clearly of the view that it would not be in the interest of the child to continue the pregnancy. However, it is only the Medical Board that can take final call in the matter. I therefore direct the second respondent to constitute a Medical Board and cause examination of the victim by tomorrow (27.09.2025). If according to the medical opinion, the petitioner's daughter's pregnancy can be terminated, then steps shall be taken immediately to have the same terminated. If according to the medical opinion,



termination of the petitioner's daughter's pregnancy is not safe for her, then, the question of termination will not arise at all. The matter is left entirely to the discretion of the medical board.

4.The learned Special Government Pleader is requested to intimate the second respondent about the order passed by this Court and the second respondent will act thereon without formally waiting for the certified copy of the order. In any event, the Registry is directed to upload the web copy of this order and shall endeavor to issue certified copy today (26.09.2025).

5.This writ petition is disposed of accordingly. No costs. Connected miscellaneous petition is closed.

26-09-2025

To

- 1.The District Collector
Trichy District, Trichy.
2. The Dean,
Mahatma Gandhi Memorial
Government Hospital,
Trichy District, Trichy.
3. The District Child Welfare Officer,
O/o.District Child Protection Wing,
Trichy District, Trichy.
4. The Inspector of Police,
All Women Police Station,
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G.R.SWAMINATHAN, J.

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