



W.P(MD)No.29001 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.10.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.29001 of 2025

T.Hayagirivan

... Petitioner

Vs.

1.The Registrar,
Tamilnadu Medical Council,
No.959 and 960, Poonamallee High Road,
Purasaiwakkam, Chennai - 600 084.

2.The Director,
Medical Education and Research,
162, Periyar EVR Salai,
Kilpauk, Chennai - 600 010.

3.K. Karthik,
Assistant Professor,
Department of Psychiatry,
Government Rajaji Hospital,
Madurai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents herein to take necessary action against 3rd respondent by considering petitioner's representation dated 12.08.2025 and dispose the same within in the time limit as fixed by this Court.



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For Petitioner : Mr.J.Nanthakumar

For Respondents : Mr.V.Ramesh for R1
Mr.P.T.Thiraviyam,
Government Advocate for R2.

ORDER

Heard the learned counsel for the writ petitioner, the learned standing counsel for the first respondent and the learned Government Advocate for the second respondent. Issuance of notice to the third respondent is dispensed with.

2.The writ petitioner had filed G.W.O.P.No.1164 of 2022 on the file of Family Court, Madurai. According to the writ petitioner, his wife is suffering from mental issues. The petitioner relies on the opinion given by Dr.C.Ramasubramanian. The Family Court directed the Dean, Rajaji Government Hospital, Madurai to constitute a medical board and offer its opinion. The third respondent's opinion does not support the stand taken by the writ petitioner. The petitioner therefore had given a complaint and wants action to be taken against the third respondent.



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3. Admittedly, the opinion of an expert is not binding on the Court.

It is the Judge who has to take the final call. The GWOP went against the writ petitioner. The petitioner had also filed C.M.A.(MD)No.1077 of 2024. The Court had not given any adverse remark against the third respondent as of now. Therefore, it is too pre-mature to direct the second respondent to take action on the petitioner's complaint. The third respondent is employed in the health department. Whether to take action against the third respondent or not is left to the discretion of the employer. The Writ Court will not be justified in issuing any positive direction. The writ petition stands dismissed. No costs.

14.10.2025

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

1. The Registrar,
Tamilnadu Medical Council,
No.959 and 960, Poonamallee High Road,
Purasaiwakkam, Chennai - 600 084.
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G.R.SWAMINATHAN, J.

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