



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 13-05-2026**

CORAM

**THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**WP No. 19458 of 2026**

1. Thangaponnu

W/o.Thirunavukkarasu No.19 Renga Nagar 1st Main Road  
K.K.Nagar Tiruchirapalli 620021. New residing at No.48/6  
Renga Nagar,1st Street Trichy 620021.

Petitioner(s)

Vs

1. Union of India

Department of Health and Family Welfare Nirman Bhawan  
New Delhi.

2.State Rep. By

The Secretary to the Government of Tamil Nadu Rep.  
through the Assisted Reproductive Technology and  
Surogacy Authority, health and family welfare Department,  
Secretariat, st. george fort Chennai 600009.

3.The Director

Directorate of Medical and Rural Health Services No.359  
DMS Complex 361 Anna Salai Chennai.

4.The Joint Director Of Health Service

District Medical Board No.359 DMS Complex 361 Anna  
Salai Chennai.

5.The Joint Director

District Medical Board Surampatti Nal road Kaikolar  
Thottam Erode 638001.

Respondent(s)

**PRAYER**

Directing the respondents 2 and 5 to grant permission to the petitioner and her husband to continue with the IVF treatment thereby enabling them to get their valuable right to get a child through the Assisted Reproductive Technology Services and pass orders.



For Petitioner(s): C.S.Saravanan

For Respondent(s): Mr.K.K.Muralitharan  
Central Government Standing Counsel for R1  
Mr.S.J.Mohamed Sathik  
Government Advocate for RR 2 to 5

### **ORDER**

Seeking direction to the respondents 2 to 5 to grant permission to the petitioner and her husband to continue with the IVF treatment thereby enabling them to get their valuable right to get a child through the Assisted Reproductive Technology Services, this writ petition is filed.

2.Considering the limited scope, this writ petition is disposed of at the admission stage itself.

3.The learned counsel for the petitioner submitted that the petitioner's husband has crossed the age of 50 years. In view of the same, there is an impediment for continuing the IVF treatment. However, a similar matter has been considered by the Madurai Bench of this Court in W.P.(MD).No.17017 of 2025 and by order dated 09.07.2025, the Madurai Bench of this Court has permitted the petitioner therein to continue IVF treatment at their own risk. In view of the aforesaid judgment, the petitioner and her husband are permitted to undergo IVF treatment at their own risk.



4.Considering the limited relief sought for by the petitioner, the respondents are directed to carry out IVF treatment to the petitioner and her husband as per the order passed in W.P.(MD).No.17017 of 2025 dated 09.07.2025, at the own risk of the petitioner and her husband, promptly and as expeditiously as possible.

5.In the result, this Writ Petition is disposed of. No costs.

**13-05-2026**  
**(½)**

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1.Union of India

Department of Health and Family Welfare Nirman Bhawan New Delhi.

2.State Rep. By

The Secretary to the Government of Tamil Nadu Rep. through the Assisted Reproductive Technology and Surrogacy Authority, health and family welfare Department, Secretariat, st. george fort Chennai 600009.

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WP No. 19458 of 2



**L.VICTORIA GOWRI J.**

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**13-05-2026**  
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