



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2026

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THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

**WP No. 22045 of 2026
and WMP.No.23937 of 2026**

1. Shanmugam
S/o.Sengoda Gounder,
Residing at Velliya Gounder Thottam,
Aarthi Agraharam,
Salem District.
2. Mariappan
S/o.Narayanan,
Residing at Sadayampalayam Village,
Thattankuttai, Namakkal District.

..Petitioner(s)

Vs

The Chairman and Member Secretary
State Level Authorisation Committee,
IGGGH and PGI/ JIPMER, Puducherry.

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India, seeking to issue a Writ of Certiorarified Mandamus, calling for the records of the respondent pertaining to the impugned Form - 18 rejection order dated 13.03.2026, quash the same as illegal, arbitrary, and unconstitutional, and consequently direct the respondent to immediately grant necessary approval for the Kidney transplantation from the 2nd Petitioner to 1st Petitioner.

For Petitioner(s):

Mr. Krishnamoorthy.S

For Respondent(s):

Mr. V.Vasanthakumar,
Additional Government Pleader, Puducherry



ORDER

WEB COPY By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. This Writ Petition has been filed seeking for issuance of a Writ of Certiorarified Mandamus, calling for the records of the respondent pertaining to the impugned rejection order in Form – 18, dated 13.03.2026 and quash the same as illegal, arbitrary, and unconstitutional, and consequently, to direct the respondent to immediately grant necessary approval for the Kidney transplantation from 2nd Petitioner to 1st Petitioner.

3. After submitting for a brief while, learned counsel for petitioners would submit that they may be granted liberty to file an appeal before the appropriate Authority under Section 17 of the Transplantation of Human Organs and Tissues Act, 1994. Agreed to by the learned Additional Government Pleader for respondent.

4. In view of the above and taking into consideration the facts and circumstances of the case, petitioner is at liberty to file an appeal before the appropriate Authority under Section 17 of the Transplantation of Human Organs and Tissues Act, 1994. If any such appeal is filed, the same shall be admitted



and entertained without reference to limitation, after issuing notice to petitioners and any other interested persons and shall dispose of the appeal in accordance with law, subject to compliance with the conditions, relating thereto, within a period of ten (10) days from the date of filing of the appeal. It is made clear that this Court has not expressed any views on the merits of the case and it is open to the concerned respondent to consider the case on its own merits and in accordance with law.

5. Accordingly, this Writ Petition stands disposed of. No Costs.
Consequently, connected miscellaneous petition is closed.

12-06-2026
(2/2)

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

ANU

To
The Chairma and Member Secretary
State Level Authorisation Committee,
IGGGH and PGI/ JIPMER, Puducherry.



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MOHAMMED SHAFFIQ, J.

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