



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 02.03.2026

CORAM

THE HONOURABLE MR JUSTICE D.BHARATHA CHAKRAVARTHY

W.P(MD)No.5802 of 2026

M.Sasikala

... Petitioner

Vs.

1.The Dean,
Annal Mahatma Gandhi Medical Government Hospital,
Trichy.

2.The Chairman,
Child Welfare Committee,
First Floor, No.1,
Kalaiarangam New Marriage Hall,
Cantonment,
Trichy 1.

3.Legal cum Protection Officer,
District Child Protection Unit,
First Floor, No.1,
Kalaiarangam New Marriage Hall,
Cantonment,
Trichy 1.

...Respondents

Writ Petition is filed under article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the first respondent to take appropriate steps to terminate the pregnancy of the petitioner's minor sister, xxxxx, D/o.Maruthaiyapillai, aged about 16 years, on the basis of the petitioner's representation, dated 25.02.2026.



For Petitioner

:Mr.B.Sekar

For Respondents

:Mr.Lingadurai,
Special Government Pleader

ORDER

The prayer in the Writ Petition is to direct the first respondent to take appropriate steps to terminate the pregnancy of the petitioner's minor sister, xxxxx, D/o.Maruthaiyapillai, aged about 16 years, on the basis of the petitioner's representation, dated 25.02.2026.

2.In view of the grave emergency in the matter, the Writ Petition is disposed of on the day of admission itself.

3.Mr.D.Lingadurai, learned Special Government Pleader take notice for all the respondents.

4.Upon hearing the learned counsel for the petitioner and perusing the material records of the case, it can be seen that a case in Crime No.5 of 2026 was registered for the offence under Sections 5(i), 5(j)(ii) and 6(1) of the Protection of Child from Sexual Offences Act, 2012. The victim/minor child is only 16 years old and it is alleged that the accused in this case had committed aggravated sexual assault, on account of which, the minor child



is said to be pregnant. When the case is registered and being investigated and right now, when the child is admitted in the first respondent hospital, it is stated that the pregnancy is now 26 weeks and therefore, it is only the Committee headed by the first respondent to take a decision and to perform the medical termination of the pregnancy at the earliest. Considering the fact that the accused had perpetrated the act by threatening the 16 year old child, it is just and necessary that the pregnancy be terminated, unless medically otherwise opined taking into consideration the life of the minor child.

5.In view thereof, the minor child has to be examined by the Committee at the earliest and the decision be taken and the procedure be performed. Needless to mention that the DNA sample be preserved from the fetus as per procedure.

6.The Writ Petition is disposed of on the following directions:-

The Committee under the chairmanship of the first respondent shall immediately examine the minor child, take a decision and complete the medical termination of pregnancy as per their decision at the earliest. The authority need not wait for the certified copy of this order and shall act based on the web-copy of this order.



No costs.

WEB COPY

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

02.03.2026

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Note : Issue order copy on 02.03.2026

To

1.The Dean,
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Trichy.

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D.BHARATHA CHAKRAVARTHY, J.

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