



W.P.(MD) No.16714 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.01.2026

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THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.16714 of 2023

and

W.M.P.(MD).No.13958 of 2023

Muneeswari

... Petitioner

Vs

1. The Secretary to Government ,
Health Department,
Government of Tamilnadu,
Fort St. George,
Chennai-600 009.
2. The Joint Director of Health Services,
DMS Officer Campus,
Teynampettai,
Chennai-600 018.
3. The Joint Director of Medical Services,
DMS Officer Campus,
Teynampettai,
Chennai-600018.
4. The District Collector,
Virudhunagar District,
Virudhunagar.
5. The Dean,
Government Hospital,
Srivilliputtur.



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6. Pushpalatha,
Chief Civil Surgeon, (Reg. No.41206),
Government Hospital,
Srivilliputtur-626125.

7. Ponvadiyu.M.R,
Civil Surgeon,
Government Hospital
Srivilliputtur - 626125.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to pay Rs.30,00,000/- (Rupees Thirty Lakhs only) towards compensation to the petitioner for the medical negligence cause to the petitioner resulting in life time financial constraints caused to the petitioner to bring up her third child.

For Petitioner : Mr.M.Murugan

For R-1 to R-5 : Mr.K.Balasubramani,
Special Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the respondents to pay a sum of Rs.30,00,000/- (Rupees Thirty Lakhs only) as compensation to the petitioner for the alleged medical negligence, which has resulted in lifetime financial hardship to the petitioner in bringing up her third child.



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2. It is the case of the petitioner that after the birth of her second child, she underwent Puerperal Sterilization by a procedure called Tubectomy at the fifth respondent hospital on 17.10.2016. However, despite the said sterilization procedure, the petitioner subsequently delivered a third child at the fifth respondent hospital. The grievance of the petitioner is that due to the negligence on the part of respondent Nos.5 to 7, she conceived again, and she is now unable to maintain her family with the additional responsibility of the third child. Hence, the petitioner submitted a representation dated 05.06.2023 to the respondents seeking compensation of a sum of Rs.30,00,000/-. Since the said representation has not been considered till date, the petitioner has approached this Court.

3. The learned Special Government Pleader appearing for respondent Nos.1 to 5 would submit that the representation of the petitioner dated 05.06.2023 would be considered in accordance with law.

4. In view of the same, without expressing any opinion on the merits of the matter, this Court directs the fourth respondent to consider the representation of the petitioner dated 05.06.2023 and pass appropriate



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orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of.

There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

07.01.2026

Index : Yes/No
Internet: Yes/No
Neutral Citation: Yes/No

TSG

To

1. The Secretary to Government ,
Health Department,
Government of Tamilnadu,
Fort St. George,
Chennai-600 009.
2. The Joint Director of Health Services,
DMS Officer Campus,
Teynampettai,
Chennai-600 018.
3. The Joint Director of Medical Services,
DMS Officer Campus,
Teynampettai,
Chennai-600018.



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4. The District Collector,
Virudhunagar District,
Virudhunagar.

5. The Dean,
Government Hospital,
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KRISHNAN RAMASAMY, J.

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