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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

**DATED: 26-10-2026**

CORAM

**THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY**

**WP(MD) No. 28492 of 2026**

CNR:{HCMD011399932026}

N.Balaji

..Petitioner(s)

Vs

1. The State of Tamil Nadu
   Represented by its Secretary,
   Department of Health and Family Welfare,
   Secretariat, Fort St.George, Chennai 600 009

2. The Tamil Nadu Medical Council
   Represented by its Registrar,
   No.959 and 960 Poonamallee High Road,
   Purasaiwakkam,
   Chennai, Tamil nadu 600 084

3. The Director of Medical and Rural Health Services
   DMS Campus, 359, Anna Salai, Teynampet,
   Chennai 600 006

4. The Joint Director of Health Services (JDHS)
   Office of the Joint Director of Health Services,
   Government District Head Hospital Campus,
   Usilampatti, Madurai District

5. Jeyabalaji(Reg no. 67109)
   Consultant Pediatrician,
   Velammal Hospital, Madurai 625 009

6. Velammal Hospital Rep by its
   The Management / Managing Director,
   Airport - Mattuthavani Ring Road,
   Anuppanadi, Madurai 625 009



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7. Galaxy Health Insurance
Prestige Polygon, 12th Top Floor (P),
No.471, Anna Salai, Nandanam,
Chennai 600 035 ..Respondent(s)

**PRAYER:** Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the Impugned Enquiry Report issued by the 4th respondent, the Joint Director of Health Services, Madurai (at Usilampatti) in Ref No. 18315633/Secret/2026 dated 25.08.2026, and quash the same as illegal, biased, and procedurally defective and Consequently direct the 1st and 3rd Respondents to transfer the complaint to the 2nd Respondent (The Tamil Nadu Medical Council) to immediately constitute an Independent Statutory Medical Board comprising senior independent pediatricians, pediatric neurologists, and forensic experts from a premier government institute to conduct a transparent Forensic Medical Audit of all raw treatment charts, nursing flowcharts, ventilator logs, and automated pharmacy financial ledgers concerning the minor child and Direct Respondent No. 2 (The Tamil Nadu Medical Council) consider the petitioner complaint Dated 30.07.2026 and 11.09.2026 to immediately initiate a formal statutory disciplinary inquiry against Respondent No. 5 Dr.Jeyabalaji, (Reg No 67109) and Direct the Respondent-2 to expedite and complete the pending inquiry against/involving the Respondent 5 and 6 within a strict, fixed timeline of 4 weeks from the date of this Courts order and the treating clinical team under Respondent No. 6 for gross medical negligence, severe clinical overdosage, and deliberate fabrication of medical records, and to suspend their medical licenses and Direct the Respondents No. 5 and and 6 jointly and severally to pay an interim/ad-interim Compensation Amount of Rs. 50,00,000/-(Rupees Fifty Lakhs



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Only) to the Petitioner for causing life-threatening injury to the minor child, producing and issuing fabricated medical documentation, and to cover immediate and future medical expenses arising out of the continuous clinical complications pending final disposal and pass such further orders as this Honble Court may deem fit and proper under the circumstance of the case and thus render justice.

For Petitioner(s): M/s V.Balamurugan

For Respondent(s): Mr.S.Vashik Ali, Addl. Govt. Pleader
For R1, R3, R4
M/s. Ramesh V for R2
Mr.S.Mariappadurai for R5 and R6
M/s. N.Sudhagar Nagaraj for R7

**ORDER**

Alleging that the petitioner's minor child was administered a dangerous adult-strength dose of the antibiotic Azithral 500 mg injection intravenously and that it caused severe medical complications, including a cardiac arrest, the petitioner lodged a complaint with the Chief Minister's Special Cell. Pursuant to an inquiry by the fourth respondent, the impugned inquiry report dated 25.08.2026 was issued.

2. The petitioner assails the inquiry report on the ground that the conclusions recorded therein are irrational and that there were procedural infirmities in said inquiry. Responding thereto, learned counsel for the fourth respondent submits that the inquiry was carried out in response to



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the complaint and not in discharge of statutory functions.

3. In order to determine whether there was medical negligence in the administration of a drug to the petitioner's minor child, it would be necessary for parties to lead evidence in a civil proceeding or proceeding under the Consumer Protection Act. At this juncture, the primary grievance of the petitioner in this writ petition is against the inquiry report dated 25.08.2026. Given the submissions that there were procedural infirmities in the conduct of the inquiry and that such report was provided in response to the complaint and not in discharge of statutory functions, this writ petition is disposed of by leaving it open to the petitioner to approach either the jurisdictional civil court or the jurisdictional consumer court. If the petitioner were to initiate proceedings in such fora, such proceedings shall be decided uninfluenced by the impugned inquiry report. No costs.

**26-10-2026**

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

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