

THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

MONDAY, THE FOURTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SMT JUSTICE RENUKA YARA

I.A. No. 1 OF 2026
IN
WP NO: 15692 OF 2026

Between

Md. Sabera @ Smt. Sabera Begum, W/o. Md Yakub Pasha, Aged about 36 years, Occupation- Working at Petrol Pump, Residing at H.No. 11-4-322/20/55, Friday Market, Srinivas Nagar, Hyderabad

...PETITIONER

(Petitioner in WP NO: 15692 OF 2026
on the file of High Court)

AND

1. State Of Telangana, Represented by its Secretary Department of Health Medical and Family Welfare Secretariat Buildings Hyderabad
2. The State of Telangana, Represented by its Special Secretary Department of Women Development and Child Welfare Secretariat Buildings Hyderabad
3. Director, Public Health and Family Welfare DM and HS Campus King Koti Hyderabad
4. The Medical Superintendent Gandhi Hospital, Secunderabad Telangana State
5. The Station House Officer, Chilkalguda Police Station, Hyderabad, Telangana.

...RESPONDENTS

(Respondents in-do-)

Petition under Section 151 of C.P.C praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondent no.3 and 4 to constitute a Medical Board as per the provisions as enunciated in terms of Section 3 of Amended Act, 2021 (Section 3 [Explanation 2] and also Sec 3 (2C) and 3 (2D) of the Medical Termination of Pregnancy (Amended) Act 2021 to conduct the petitioners minor daughters medical examination and to submit a report within a period of 24 Hrs with regard to the fact that whether the minor rape victim would be in a fit condition to undergo the termination of pregnancy procedure, pending disposal of WP No 15692 of 2026, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of Ms. Keerti Kabra

Advocate for the Petitioner, GP For Medical Health FW for the Respondent No.1, Mr. M. Yadagiri, Assistant Government Pleader for Women Development and Child Welfare for respondent No.2 and Ms. Swapna Madhuri, Assistant Government Pleader for Medical, Health and Family Welfare for respondent Nos.3 and 4.

The Court made the following

ORDER:

Heard Ms. Keerti Kabra, learned counsel for the petitioner, Ms. Swapna Madhuri, learned Assistant Government Pleader for Medical, Health and Family Welfare appearing for respondent Nos.3 and 4 and Mr. M. Yadagiri, learned Assistant Government Pleader for Women Development and Child Welfare appearing for respondent No.2.

This application is filed to direct respondent Nos.3 and 4 to constitute a Medical Board to conduct medical examination of the daughter of the petitioner to terminate her pregnancy of 27 weeks gestation medically by considering her situation within a stipulated time fixed by this Court as per the provisions for the Medical Termination of Pregnancy Act, 1971, including the amendments made in the year 2021.

The termination of pregnancy is sought as the minor girl is a victim of POCSO offence and both the mother and victim are not inclined to proceed with the pregnancy for a full term to deliver the child. In similar circumstances, this Court in W.P.No.17358 of 2024 directed respondent No.4 therein to constitute Medical Board and to submit report in a sealed cover within (24) hours. In similar circumstances in the instant case, the petitioner is also entitled the same relief.

The respondent No.4 - Superintendent, Gandhi Hospital is directed to immediately constitute a Medical Board and examine the victim with regard to gestation period of her fetus and feasibility to terminate her pregnancy, and submit a report to this Court by tomorrow i.e., 05.05.2026 at 10.30 A.M. in a sealed cover without fail.

Accordingly, this application is ordered.

Sd/- K.BHAVANI SWAMY
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Secretary Department of Health Medical and Family Welfare Secretariat Buildings Hyderabad, State Of Telangana.

2. The Special Secretary Department of Women Development and Child Welfare Secretariat Buildings Hyderabad, State of Telangana
3. The Director, Public Health and Family Welfare DM and HS Campus King Koti Hyderabad
4. The Medical Superintendent Gandhi Hospital, Secunderabad Telangana State
5. The Station House Officer, Chilkalguda Police Station, Hyderabad, Telangana.

[For 1 to 5 By SPAD]

6. One CC to Ms. KEERTI KABRA Advocate [OPUC]
7. Two CCs to GP FOR MEDICAL HEALTH FW, High Court for the State of Telangana, at Hyderabad [OUT]
8. One spare copy

HIGH COURT

RY, J

DATED: 04-05-2026

ORDER

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IN
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DIRECTION