

WP.No.148 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 02.12.2025

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

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M.Santhoshkumar

.. Petitioner

Versus

1. State of Tamilnadu
Rep by its Secretary
Health and Family Welfare Department
Secretariat, Chennai – 600 009

2.The Joint Director
Medical and Rural Health Services
219, Race Course Road
Coimbatore

3.The District Collector
Collectorate, Coimbatore

4.The Chief Medical Officer
Sivashantha Mother and Child Health Centre
No.3, New Thillai Nagar
P.N.Pudur, Coimbatore – 641 041

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to take action against the



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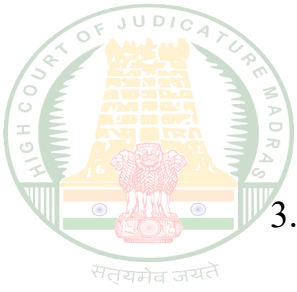
fourth respondent under Section 5 of the Tamilnadu Private Clinical Establishments Regulation Act within time as stipulated by this Court on the basis of the representation letter dated 13.04.2023 sent by the petitioner.

For Petitioner : Mr.M.Saravankumar
For Respondents : Mr.E.Sundaram for R1 to R3
Government Advocate
Mr.Vijaya Meganath for
M/s.AAV Partners for R4

ORDER

The petitioner seeks for a direction, directing the respondents 1 to 3 to take action against the fourth respondent under Section 5 of the Tamilnadu Private Clinical Establishments Regulation Act within time as stipulated by this Court on the basis of the representation letter dated 13.04.2023 sent by the petitioner.

2. The grievance of the petitioner is that his sister was admitted in the fourth respondent hospital for ante-natal checkup. However, she has not been properly treated as a result of which she suffered from fever and she was sent to the Coimbatore Medical College Government Hospital and thereafter, she died due to various complications.



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3. According to the petitioner, had the fourth respondent treated her sister properly, her sister would not have died, therefore, seeks action against the fourth respondent by the respondents 1 to 3.

4. Heard both sides and perused the materials placed on record.

5. The entire affidavit clearly indicate that the petitioner alleges the medical negligence, in this regard, he stated before that Court that he filed a consumer complaint before the District Consumer Commission, Coimbatore in C.C.No.30 of 2024, wherein, the District Consumer Commission, Coimbatore has awarded a compensation of Rs.20 lakhs which has been challenged before the State Consumer Disputes Redressal Commission, Chennai in S.A.No.590 of 2025. When the case of the medical negligence is alleged, once again seeking direction to take action will not serve any purpose, further, the learned counsel for the petitioner would also submit that the Medical Council has also enquired and the matter is pending for final order. Such view of the matter, this Court is of the view that no further order is required in this writ petition.



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6. Accordingly, this petition stands closed. No costs.

02.12.2025

dhk

Index : Yes/No

Internet : Yes/No

To

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State of Tamilnadu
Health and Family Welfare Department
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