

W.P.(MD)No.11649 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2026

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THE HONOURABLE MR.JUSTICE **C.V. KARTHIKEYAN**

and

THE HONOURABLE MR.JUSTICE **R.SAKTHIVEL**

W.P.(MD)No.11649 of 2020

M.Vetri Selvan

... Petitioner

vs.

1.Union of India,
represented by the Principal Secretary,
Ministry of Health and Family Welfare,
Union of India,
A-Wing, Nirman Bhawan,
New Delhi 110 011.

2.The Director,
National Organ and Tissue Transplant Organisation (NOTTO),
4th Floor, National Institute of Pathology,
NIOP Building, Safdarjung Hospital Campus,
New Delhi – 110 029.

3.State of Tamilnadu,
The Principal Secretary,
Health and Family Welfare Department,
State of Tamil Nadu,
Fort St.George, Chennai 600 009.



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4.The Member Secretary,
Transplant Authority of Tamil Nadu (TRANSTAN),
Tamil Nadu Multi Super Speciality Hospital,
Omanthoorar Estate, Anna Salai, Chennai 600 002.

5.The Director,
Directorate of Medical and Rural Health Services,
DMS Complex 361, Anna Salai,
Chennai 600 006.

6.The Director of Medical Education,
Directorate of Medical Education Office,
Chennai 600 010.

7.The Dean,
Madurai Government Rajaji Hospital,
Madurai, Madurai District 625 020.

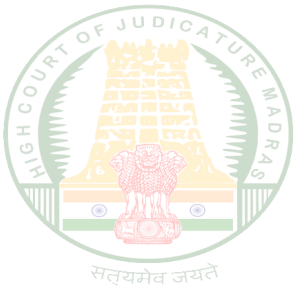
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents

a. To establish Bone Bank in Government Rajaji Hospital, Madurai as per the proposals sent by the Respondent No.7 to Respondent No.6 in the year 2017 and 2018 in an expedite manner.

b.To constitute a Bone Bank inclusive of Director, Officer-in-charge Research Fellow, Technician, Lab Assistant for the effective functioning of the Bone Bank.

c.To constitute an Advisory Board inclusive of Dean, Orthopaedic HOD, Micro Biology HOD, Pathology HOD, Forensic Medicine HOD, Anaesthesia HOD of Government Medical College, Madurai for effective functioning of the Bone Bank.



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d.To procure latest equipment needed for the effective functioning of the Bone Bank.

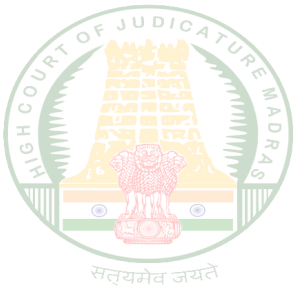
e.To conduct awareness programs for the common public in a regular intervals regarding “The Transplantation of Human Organs Act, 1994”, so that the awareness can be brought to the common public regarding donating the bones as per the provisions of law in accordance with law within the time stipulated by this Court.

For Petitioner	:Mr.R.Alagumani
For R1 and R2	:Mr.C.Nandagopal Central Government Standing Counsel
For R3 to R7	:Mr.S.I.Muthiah Counsel for State of Tamil Nadu

ORDER

(Order of the Court was made by **C.V. KARTHIKEYAN, J.**)

The Writ Petition has been filed by an Advocate, who, at the time of filing the Writ Petition, was studying in Government Law College, Madurai, seeking direction to be issued to establish a Bone Bank in Government Rajaji Hospital at Madurai, and to constitute awareness programme regarding Transplantation of Human Organs Act, 1994, to the general public.



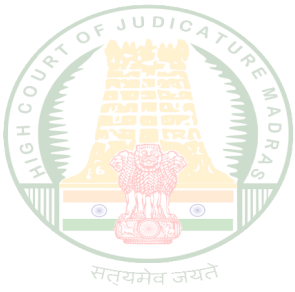
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2.In the Writ Petition, it had been stated that the Union Government had passed the Transplantation of Human Organs Act 1994, which paved the way for establishment of a Bone Bank in Chennai in the year 2005. The said Bone Bank could be used to replace metallic implants normally used in orthopaedic replacement surgeries. It had been stated that from a human body, bones like femur, ulna, tibia, fibula, humerus, radius and pelvis can be harvested and used in patients affected with cancer or for fractures and joint replacements. It was under those circumstances seeking establishment of a Bone Bank in Madurai Government Rajaji Hospital that the present Writ Petition has been filed.

3.Though the petitioner could have a grievance that the Writ Petition has been pending for the past six years, his efforts have been successful, since in the status report file by the 7th respondent/Dean, Government Rajaji Hospital, Madurai, it had been contended as follows.

“3.It is humbly submitted that, the Bone Bank has been established in this hospital after obtaining license from the Government of Tamil Nadu under Human Organ Transplantation Act, 1994, on 16.12.2021 with facility of storing and harvesting bone and cartilage and is functioning in the Department of Orthopaedics since then under the



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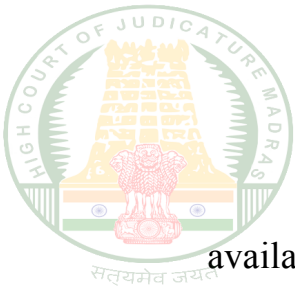
Registration Number 460/2021. Till date, 197 patients have got benefitted by the Bone Bank facility of this hospital for which year wise breakup details have been furnished as follows:

Year wise breakup of bone bank beneficiaries in this hospital:

S.No.	Year	No. of Beneficiaries
1	2022	20
2	2023	64
3	2024	37
5	2025	53
5	2025	23
Total		197

4.Further, it is also submitted that in order to provide high end infrastructure for bone transplants beneficiaries, necessary measures have also been made towards establishment of Bone Marrow Transplant facility in this hospital.”

4.It is that seen that by establishment of the Bone Bank, which could also be attributed to the efforts taken by the Writ Petitioner in filing the present public interest litigation and by the efforts of his Counsel to press for relief in the same, there are, as on date, 197 beneficiaries from the year 2022 onwards. But, however, more publicity and more sensitization would have to be given to the general public about the



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availability of this feature.

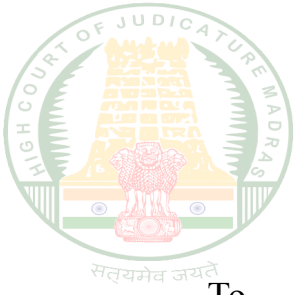
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5.The Writ Petition stands disposed of. We would also place a request to the Tamil Nadu State Legal Services Authority to examine the possibility of sensitising the general public through the District Legal Services Authority about establishment of Bone Bank and its advantages and more particularly, about the salient features of the Transplantation of Human Organs Act 1994. There shall be no order as to costs.

[C.V.K., J.] [R.S.V., J.]
13.07.2026

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

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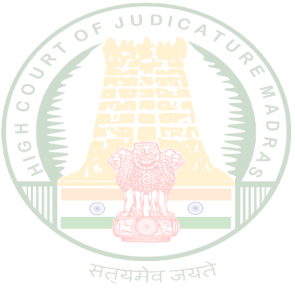
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State of Tamilnadu,
Health and Family Welfare Department,
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- 2.The Member Secretary,
Transplant Authority of Tamil Nadu (TRANSTAN),
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Directorate of Medical and Rural Health Services,
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- 4.The Director of Medical Education,
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- 5.The Dean,
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Copy to:

The Member Secretary,
Tamil Nadu State Legal Services Authority, Chennai.



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