

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Judgment reserved on : 04.08.2022

Judgment delivered on : **16.08.2022**

CORAM :

**THE HON'BLE MR.MUNISHWAR NATH BHANDARI,  
CHIEF JUSTICE  
AND**

**THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.A.No.517 of 2022

Dr.S.Radhakrishnan .. Appellant

**Versus**

1. The Registrar,  
Tamil Nadu Medical Council,  
New No.914, Old No.569,  
Poonamallee High Road,  
Arumbakkam, Chennai – 600 106.

2. The Disciplinary Committee,  
Tamil Nadu Medical Council,  
New No.914, Old No.569,  
Poonamallee High Road,  
Arumbakkam, Chennai – 600 106.

3. S.Shri Subitha .. Respondents

**Prayer:** Writ Appeal filed under Clause 15 of Letters Patent, to set aside the order, dated 19.01.2022 passed in W.P.No.11983 of 2021 and call for the records and quash the order, dated 04.05.2021 passed by the 1<sup>st</sup> and 2<sup>nd</sup> respondents under Ref. No.TNMC/DC No.136 of 2018.

For Appellant : Mr.Dama Sheshadri Naidu  
Mr.P.L.Krishnan

For Respondents : Mr.G.Sankaran, for RR-1 and 2  
M/s.Karthikaa Ashok, for R3

### **JUDGMENT**

#### **D.BHARATHA CHAKRAVARHY, J.**

##### **A. Brief Facts Leading to the Appeal :**

One *Pitchaimani*, son of *Narayananansami* was possessed of properties, viz., a house and 15 plots of varying extents in Okkiam Thoraipakkam, Chennai, three house properties in Thiruvanmiyur, Chennai, a plot of land in Pudupakkam village, Suburban Chennai, in all 19 items of properties, which are obviously valuable and which form the central focus of the conflict in this case.

2. The said *Pitchaimani*, became sick and was admitted to *Fortis*

*Malar Hospitals, Adyar, Chennai*, on 27.09.2015 on complaints of Chronic *Decompensated Liver Disease, T2DM, Chronic Kidney Disease, Peripheral Arterial Disease with Right Foot Gangrene and Urethral Fistula*. He was initially admitted in I.C.U and was started on high level antibiotics and dialysis for renal failure etc. On his condition improving, he was shifted to the Ward on 04.10.2015, however, he had recurrence of sepsis, worsening consciousness and drop in B.P and therefore, was again shifted to I.C.U on 07.10.2015 for supportive measures and was treated. He was put on ventilatory support and inspite of escalated treatment, his condition worsened. Though he was only 66 years of age, all the above valuable properties would not come to his help, and unfortunately he died on 11.10.2015 at 11.23 P.M. A detailed death summary is issued by the aforementioned hospital.

3. The said *Mr.Pitchaimani*, died leaving behind his wife *Mrs.R.Mariammal*, and a son *Mr.Sakthivel* (who are not parties to present litigation) and a daughter *Mrs.Shri Subitha*, who is the third respondent in this appeal, as his legal heirs. The petitioner, *Dr.S.Radhakrishnan*'s daughter is married to the above mentioned *Mr.Sakthivel*, son of *Mr.Pitchaimani*. Sometime after the death of *Mr.Pitchaimani*, the third respondent herein, his

daughter, entertained doubts and after applying for certified copies and after obtaining information under Right to Information Act, she came to know of the following :

(i) When her father was in the I.C.U, on 08.10.2015, the appellant herein has issued a Medical Certificate, which reads as follows :

““ DR.S.RADHAKRISHNAN  
FRCS (IRE), FRCS (ENG), ASTS (USA)  
CONSULTANT SURGEON

08/10/2015.

“TO WHOMSOEVER IT IS CONCERNED

*Mr. N. Pitchaimani aged 66 years is residing at 3/3 B Sivasamy Avenue, MGR Road, Palavakkam, Chennai 60041; He is suffering from decompensate liver disease due to lymphoma of liver. He is also suffering from chronic renal failure, Diabetes and vascular gangrene of Rt Leg. He is emaciated and very week. He is conscious and oriented but confined to his bed.*

*Yours Sincerely*

*Dr.S.Radhakrishnan””*

(ii) On the strength of the said Medical Certificate, the Sub-Registrar, *Neelangarai*, had adopted the procedure of home registration and a settlement deed, as if the said *Mr.Pitchaimani* conveyed all the above 19 properties to and in favour of his son, *Mr.Sakthivel*, the son-in-law of the

appellant, is registered;

(iii) The settlement deed contains the alleged left thumb impression of the said *Mr.Pitchaimani* on the all the pages and the manner in which the thumb impression exists in the various pages of the settlement deed speaks for itself. It is admitted by both sides that otherwise the said *Mr.Pitchaimani* is literate and used to sign;

(iv) The Sub-Registrar makes a false endorsement in the registered deed as follows :

*“Presented at the residence of Mr. N. Pichiamani, Son of Late Narayanasamy, No.3/B-B, Sivasami Avenue, Dr. M.G.R. Road, Palavakkam, Chennai – 600 041 and Fees of Rs.5900/- paid between the hours of 9-10 AM on 9<sup>th</sup> day of October, 2015 by Mr. Pichaimani”.*

Therefore, the third respondent, alleging that she was cheated by creating a false document without the knowledge or authority of the said *Mr.Pitchaimani*, preferred a police complaint and after direction by this Court, a case in Crime No.374 of 2016 was registered and the quash petition filed by the brother and mother of the third respondent and the Sub-Registrar was also dismissed by order, dated 21.01.2022 in Crl.O.P.Nos.29269 of 2019 etc.

4. The third respondent also preferred a complaint, dated 19.10.2018 to the Medical Council of India (presently National Medical Commission), to the effect that the appellant herein, in collusion with the others, had given a false and misleading Medical Certificate, certifying as if the deceased *Mr.Pitchaimani* was conscious and oriented and as if he is only unfit to travel from his house and which lead to the above fraudulent registration of the false document of settlement. The Board of Governors of the Medical Council of India, in turn forwarded the said complaint to the Tamil Nadu Medical Council, its Registrar being arrayed as the first respondent herein. The Disciplinary Committee of the said body is the second respondent herein.

5. The Tamil Nadu Medical Council is the Statutory Body constituted originally under the Madras Medical Registration Act, 1914, now functioning as the State Council under the provisions of the Indian Medical Council Act, 1956. In exercise of its powers under the Medical Council Act, 1956, the Medical Council of India had made regulations for the professional conduct of the doctors in the year 2002, which is adopted by the first respondent as, “The Tamil Nadu Medical Council Code of Medical Ethics (Professional Conduct, Etiquette and Ethics) Regulations, 2003”. The

appellant is a Registered Medical Practitioner under Registration No. 38590 (1984). Since the allegations against him appeared to be professional misconduct, the first respondent proceeded against the appellant.

6. Firstly, a copy of the complaint was forwarded to the appellant calling for his explanation to the allegations made in the complaint by the communication of the first respondent, dated 28.11.2018. The appellant submitted his detailed explanation, dated 11.01.2019. It is contented that there is no evidence for the allegations. He had visited the deceased *Mr.Pitchaimani* at *Fortis Malar Hospital* several times and the patient was conscious and oriented. He saw the patient on 08.10.2015 and at that time the patient was not on ventilator and was very much conscious. Therefore, after getting permission of the treating doctor and after examining the patient, he had issued the certificate.

7. His explanation was not acceptable, therefore, the matter was referred to the Disciplinary Committee. The Disciplinary committee summoned the appellant on 26.08.2019 and he appeared before the Disciplinary Committee and deposed before the committee. During the hearing, the appellant submitted a letter addressed by *Fortis Malar Hospital*

to the police authorities stating that the patient was conscious on 08.10.2015.

But, since the said letter was contradictory to the case records which were available already before the Disciplinary Committee, one *Dr.Praveen B Nilgar* and *Dr.Anand Mohan Pai* were summoned for the enquiry. Accordingly, both of them appeared on 12.11.2019 and deposed on the basis of the available medical records and as per the records, on 08.10.2015, “*Pt Sensorial – altered, disoriented. GLS: E4 M6 V4 (As per Glasgow coma scale) confused or disoriented*”.

8. Thereafter, the Disciplinary Committee decided to summon *Dr.P.Basumani*, who actually treated the patient. The said *Dr.P.Basumani* appeared and deposed before the committee on 22.04.2021. Thereafter, considering the materials on record, the Disciplinary Committee recommended punishment for the appellant that his name be removed from the medical register for a period of two years. The Disciplinary Committee also recommended punishments for the said *Dr.P.Basumani* and *Dr.Praveen B Nilgar*.

9. The recommendations were placed before the Tamilnadu Medical Council in its Special Business Meeting held on 25.04.2021. The council

framed the following points for consideration.

- i. Whether or not the Respondent issued the Medical Certificate in respect of the Patient *Mr. Pitchaimani*?
- ii. Whether the said the Medical Certificate was issued with the knowledge of Doctors of Fortis Malar Hospital and whether the Respondent is authorized to issue Medical Certificate?
- iii. Whether the Medical Certificate issued by the Respondent to the Patient *Mr. Pitchaimani* is as per standard general format?
- iv. What are the responsibilities of a Registered Medical Practitioner in respect of issuing Medical Certificate and whether the Respondent shirked those Responsibilities?
- v. Whether the Respondent, by issuing the Medical Certificate dated 08.10.2015 to the Patient *Mr. Pitchaimani* violated any Regulations?
- vi. Whether *Dr. Praveen B. Nilgar*, the former Medical Superintendent of Fortis Malar Hospital and *Dr. Basumani* the Primary Consultant violated any Regulations?
- vii. Whether the requisition letter on behalf of the patient *Mr. Pitchaimani* for Home Registration was prepared by *Dr. Radhakrishnan*?

10. After considering all the issues, the Tamil Nadu Medical Council

decided to impose the aforesaid punishment of removal from register for a period of two years for the proven misconduct and accordingly, the order impugned, in the Writ Petition, dated 04.05.2021 was issued. Aggrieved by which, the appellant referred the above Writ Petition in W.P.No.11983 of 2021. After completion of the pleadings by the parties, the said Writ Petition was heard along with the connected Writ Petitions filed by the said *Dr.P.Basumani* and *Dr.Praveen B Nilgar*, who also challenged the punishment imposed on them. The Writ Petitions were disposed of separately. The learned Judge found that the principles of natural justice were violated in the cases of *Dr.P.Basumani* and *Dr.Praveen B Nilgar* as there was no complaint against them, they were not put on notice about the charges against them and they were punished based on the statements given by them in the course of the enquiry against the appellant herein and therefore set aside the punishments against them.

11. As far as the appellant is concerned, the learned Judge, considering the charges against the appellant, found that the plea taken on behalf of the appellant herein that there is a huge delay of three years in forwarding the complaint is without any merits as the delay has been explained by the third respondent. The learned Judge, considering the

criminal complaint and investigation in Cr.No.374 of 2016 and the aforesaid facts, rejected the plea of bonafide certificate being issued. On the plea claiming parity with that of *Dr.P.Basumani*, the learned Judge distinguished his case and concluded in view of the glaring and blatantly shocking facts in the case of the appellant, held that the punishment imposed did not call for any interference. Aggrieved by the same, the present appeal is filed.

#### **B. The submission of parties:**

12. *Mr.Dama Sheshadri Naidu*, the learned Senior Counsel appearing on behalf of the appellant, taking us in detail through the order impugned in the Writ Petition and the order of the learned Single Judge, would contend that (i) the perusal of the hospital records and the deposition of *Dr.Praveen B Nilgar* as well as *Dr.Anand Mohan Pai* clearly demonstrate that the patient's condition being mentioned as "Sensorial" which means that the patient was conscious and therefore, the mere fact that he was hospitalized and was in and out of the I.C.U would only vouch for the correctness of the statement made by the appellant that he is confined to his bed and the purpose of the certificate was only to certify that he was unable to travel to the office of Sub-Registrar and therefore, the certificate is neither false nor misleading; (ii) There is no express requirement that it is only the treating

doctor who alone could issue medical certificate and in this case, the appellant, being a relative and is an expert in the field, was periodically being consulted and was also taken into confidence by the other treating doctors at the hospital, cannot be found fault for issuing the medical certificate; (iii) The basis on which the Disciplinary Committee as well as the Medical Council rejected the plea of bonafide of the appellant is that of the deposition of *Dr.P.Basumani*. The said *Dr.P.Basumani*, whose statement that the patient was unconscious was contrary to the hospital records, was not permitted to be cross examined by the appellant. Therefore, the procedure adopted by the first and second respondents is in gross violation of the principles of natural justice; (iv) The learned Judge had correctly considered the issue of not following the proper procedure and violation of principles of natural justice in the matters of *Dr.P.Basumani* and *Dr.Praveen B Nilgar* and therefore ought to have held even the inquiry against the appellant also suffers for the violation of principles of natural justice; (v) In any event, for the act of issuing a medical certificate, punishing the appellant for a period of two years is unduly harsh and is grossly disproportionate, given the fact that the appellant is a highly qualified expert rendering yeomen service to his patients from the year 1984.

13. *Mr.G.Sankaran*, the learned Counsel appearing on behalf of the first and second respondents, relying upon the order impugned in the Writ Petition as well as the counter affidavit filed, would submit that the medical certificate was grossly inappropriate both in its form as well as the contents. The same is in direct violation of the regulations and hence amounted to grave professional misconduct. The first and second respondents have called for the explanation, considered each and every aspect of the explanation during the enquiry and the Disciplinary Committee summoned the relevant witnesses and the appellant participated in the enquiry. There was no specific request for cross examination of *Dr.P.Basumani*. Considering the grave nature of the misconduct, the punishment is duly imposed on the appellant. He would submit that the case of *Dr.P.Basumani* and *Dr.Praveen B Nilgar* are distinguishable from that of the appellant as in their case, no explanation was called for in respect of the charges against them.

14. *Mrs.Karthika Ashok*, the learned Counsel appearing on behalf of the third respondent, taking this Court through the detailed set of papers filed on behalf of the third respondent, would submit that the appellant is not a stranger. He is the father-in-law of the third respondent's brother. Except

for visiting the patient in the I.C.U, he had not treated the patient and had no occasion to issue the medical certificate. By virtue of the false certificate given by the appellant, the Sub-Registrar made a false entry as if her father *Mr.Pitchaimani* was at his residence in No. 3/3B, Sivasamy avenue, Dr. MGR Road, Palavakkam, Chennai – 41 and as if he presented the document and paid the fees. The false deed of settlement was concocted, only to deprive the third respondent of her lawful 1/3rd share in the 19 items of the property belonging to her father. The total worth of the properties is more than 50 crores. Inspite of being ill, her father *Mr.Pitchaimani* did not make any arrangements regarding his property and therefore, after his death on 11.10.2015, it would have devolved as per law. To avoid the same blatantly fraudulent certificate was issued by the appellant, the left thumb impression was made on all pages of the alleged settlement deed, that too in an inappropriate manner when her father was lying unconscious in the I.C.U battling for his life and was on ventilator support. The third respondent did not know any of the above facts as to the creation of the false document and only subsequently, she realized and after getting the documents through RTI, she had lodged the above complaint of professional misconduct. Therefore, the learned Counsel would submit that the appellant is very much part of the conspiracy and therefore does not deserve any relief from this Court.

### **C. Discussion and findings:**

15. We have considered the rival submissions made on behalf of the parties and perused the material records of the case. The issues to be determined are that :

- (i) Whether the allegations made against the appellant amount to professional misconduct;
- (ii) If so, whether such allegations stand proved?
- (iii) Whether the procedure, adopted by the first and second respondents, is fair and proper?
- (iv) If so, whether the punishment awarded is excessive and disproportionate?

16. The first limb of the charge against the appellant is that the medical certificate issued by him, which is extracted above, is not in conformity with the form. In this regard, the Regulation 1.3.3 reads as follows:-

*“1.3.3. A Registered medical practitioner shall maintain a Register of Medical Certificates giving full details of certificates issued. When issuing a medical certificate, he/she always enter the identification marks of the patient and keep a*

*copy of the certificate. he/she shall not omit to record the signature and/or thumb mark, address and at least one identification mark of the patient on the medical certificates or report. The medical certificate shall be prepared as in Appendix 2.”*

17. As per the normal practice requirements, the medical certificate should contain the following particulars:-

- “ *Name and address of the practitioner issuing the certificate.* ”
- *Name of the patient.*
- *Date the examination took place.*
- *Degree of incapacity of the patient.*
- *The duration of the care should be indicated. The duration of illness mentioned in the certificate should be limited to the period during which the patient was actually under care and observation of the practitioner.*
- *Be addressed to the party requiring the certificate as evidence of illness, for example, an employer, insurer or magistrate.*
- *Date the certificate to written and signed.*
- *Two identification marks should be mentioned in detail. The marks should be preferably from exposed parts of the body. The exact description of the marks as regards the location, site, size, colour etc should be mentioned.*
- *The practitioner should sign the certificate legibly at the end along with the registration number and also the signature/Left thumb impression of the patient attested by him.”*

Obviously, the medical certificate issued by the appellant, which is extracted above, is not in conformity with the above requirements as well as

to Regulation 1.3.3.

18. The second limb of the charge against the appellant is that he has given false and misleading certificate as if the patient was conscious and oriented. In this regard, it is useful to extract Regulation 7.7 and Appendix-4(m) of the Regulations, which is as follows:-

*“7.7. Registered medical practitioners are, in certain cases, bound by law to give, or may, from time to time, be called upon or requested to give certificates, notification, reports and other documents of similar character signed by them in their professional capacity for subsequent use in the Court or for administrative purposes, etc. Such documents, among others, include the ones given at Appendix 4.*

*Any registered practitioner who is shown to have signed or given his name and authority any such certificate, notification, report or document of a similar character which is untrue, misleading or improper is liable to have his name deleted from the Register.”*

***“Appendix-4  
List of certificates, reports, notifications, etc.  
issued by doctors for the purposes of various  
acts/administrative requirements***

*(a)*

*(b)*

*.*

*.*

*.*

*.*

*.*

*(m) For excusing attendance in Courts of Justice, in public services, in public offices or in ordinary employment.”*

Therefore, the gravamen of the allegation is that as on 08.10.2015, the patient *Mr.Pitchaimani* was admitted into the Intensive Care unit of *Fortis Malar Hospital*, whereas, on a reading of the above certificate it is misleading as if he was residing in the house address mentioned in the certificate. The purpose of the certificate was to excuse the attendance in the public office, namely before the Sub-Registrar and certifying as if the patient is fit for the said purpose and as if he only is unable to undertake the travel is clearly misleading, as the facts are otherwise. Further, the certificate clearly gives a false information that the patient is oriented while the patient was completely disoriented and even regarding consciousness, he was unconscious of and on. Therefore, the information contained in the certificate is a deliberate false information. In that view of the matter, the said allegations, which is a direct contravention Regulation 7.7 amounts to misconduct. As a matter of fact, Regulation 7.1 expressly mentions that violation of any of the Regulations is a misconduct. Therefore, we find that the allegations made against the appellant amounts to professional misconduct in accordance to Tamil Nadu Medical Council (Professions Conduct, Etiquette and Ethics) Regulations, 2003.

19. Now, coming to the proof, the appellant admits that he had issued the certificate. The certificate is extracted supra and the same was on the file of the first and second respondents. Therefore, the same, by itself, stands testimony for the violation of the form of medical certificate.

20. From the very fact that an endorsement was made in the document by the Sub-Registrar that *Mr.Pitchaimani* presented the document for registration from his house address mentioned supra and that he paid the fees, would clearly demonstrate the misleading nature of the information contained in the above certificate. As far as the falsity is concerned, the condition of the patient, from the medical certificate, which is extracted supra, it is mentioned that the patient was oriented. As per the Hospital records, which is extracted supra, he was disoriented. The term disorientation is defined in P.Ramanatha Aiyar's Advanced Law Lexicon V Edition as follows:

***“Disorientation.*** *The loss of ability to comprehend time, place and people; normal relationship with one's surroundings is lost.”*

Thus, *Mr.Pitchaimani* was not in a position to comprehend what was the time, in which place he was there and who the person, namely, Sub-

Registrar was.

21. The very fact, that he could not even sign and only his left thumb impression is taken in every page of the document that too in a manner as if it is not made by the same person, but, with the help of another in awkward and reverse directions, categorically demonstrates that he was disoriented. The learned Senior Counsel, appearing on behalf of the appellant, repeatedly stressed on the word “Sensorial” to mean that the person was conscious, however, overlooked that the patient was clearly disoriented. Therefore, when the hospital records, which are called for by the first and second respondents, which are produced before this Court, continuously, clearly and categorically record that the patient was disoriented all along, there is ample proof on record that the certificate is not only misleading, but also contains false information.

22. Now, coming to the question of the procedure adopted by the first and second respondents, it can be seen that the complaint is forwarded to the appellant and he was put on notice about the allegations and his explanation was called for and he submitted his explanation. Thereupon, the matter was referred to the Disciplinary Committee and he participated in the inquiry by

the Disciplinary Committee. The only ground of attack about the procedure adopted by the Disciplinary Committee is that the appellant was not given an opportunity to cross-examine the said *Dr.P.Basumani*, who had given a statement as if the patient was unconscious contrary to the medical records and therefore, the appellant is prejudiced. In this regard, firstly, it may be seen from the findings of the impugned order that the finding as to the falsity of the certificate is primarily based on the hospital records which clearly stated that the patient was disoriented. That by itself proves the falsity of the certificate. Therefore, even in the absence of the statement of *Dr.P.Basumani*, from the very records of the hospital, the falsity of the certificate stands proved.

23. In this regard, it should be seen that the principles of natural justice is not straitjacket formula and would depend on the facts and circumstances of the case and in this case, the appellant was given a fair opportunity to defend himself and we hold that he was not in any manner prejudiced on account of not being permitted to cross-examine *Dr.P.Basumani*. This apart, from the above facts, it is clear that the action of the appellant, in issuing the certificate is clearly fraudulent and thus, fraud vitiates the actions and therefore, any plea as to the violation of principles of

natural justice is only hyper-technical and without any substance. Therefore, we do not find any violation of principles of natural justice by the respondents 1 and 2.

24. In this regard, the Hon'ble Supreme Court of India in ***A.P. Social Welfare Residential Educational Institutions Vs. Pindiga Sridhar***<sup>1</sup>, in paragraph No.7, held as follows:-

***“ 7. The High Court on the basis of the erroneous view upset the well-merited judgment of the learned Single Judge. By now, it is well-settled principle of law that the principles of natural justice cannot be applied in a straitjacket formula. Their application depends upon the facts and circumstances of each case. To sustain the complaint of the violation of principles of natural justice one must establish that he was prejudiced for non-observance of the principles of natural justice. In the present case, the fact on which the appellant terminated the services of the respondent appointed on compassionate ground was admitted by the respondent himself that when he applied for the post on compassionate ground by his application dated 6-5-1996, his mother was in service. So also when he secured the appointment by an order dated 22-11-2002 his wife was in service since 3-8-1997 as Extension Officer in Rural Development and later on promoted as Mandal Parishad Development Officer at the time when he was appointed on compassionate ground. These facts clearly disclose that the appointment***

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<sup>1</sup> (2007) 13 SCC 352

*on compassionate ground was secured by playing fraud. Fraud cloaks everything. In such admitted facts, there was no necessity of issuing show-cause notice to him. The view of the High Court that termination suffers from the non-observance of the principles of natural justice is, therefore, clearly erroneous. In our view, in the given facts of this case, no prejudice whatsoever has been caused to the respondent. The respondent could not have improved his case even if a show-cause notice was issued to him.”*

25. As far as the submission, regarding the orders of the learned Judge in W.P.No.12303 of 2021, in the case of *Dr.P.Basumani* and in W.P.No.17136 of 2021, in the case of *Dr.Praveen B Nilgar* is concerned, admittedly, they were not put on notice about the allegation against them and no explanation was called for from them. Considering the said facts, the learned Judge has held that there was violation of principles of natural justice in their cases and allowed the Writ Petitions filed by them. The same is not the case with the present appellant as we have already found that there is due compliance of principles of natural justice and fair procedure was adopted insofar as the appellant is concerned. Therefore, the submissions of the learned Senior Counsel, appearing on behalf of the appellant, in this regard, are rejected as without any merits.

26. Now, coming to the proportionality of the punishment, this is not a case of oversight or an issue of a medical certificate to any third person by not taking adequate care. This is a certificate issued willfully knowing the true state of affairs. This certificate is issued to a close relative with the sinister object of getting undue share in the above mentioned 19 items of properties to his own son-in-law. Therefore, the action of the appellant is grave in nature. This apart, it is expressly pleaded before this Court that the appellant completed his M.B.B.S Degree from Madras Medical College, acquired A.S.T.S Certified Clinical Fellowship in Transplant Surgery from United States of America. The appellant is a member of F.R.C.S., Ireland, Royal College of Surgeons of Ireland and F.R.C.S., England, Royal College of Surgeons of England. When the appellant has let down all the education imparted on him by these institutions just because the real estate value of these sub-urban properties has skyrocketed beyond its worth, we feel that doubles up the seriousness of the misconduct and accordingly, we do not find that the punishment imposed is in any manner disproportionate or unduly severe on the appellant.

**Result:**

27. Accordingly, finding no merits, this Writ Appeal stands dismissed. Consequently, C.M.P.No.3762 of 2022 is closed.

(M.N.B., CJ) (D.B.C., J.)  
**16.08.2022**

Index : Yes/No  
Speaking order/Non-speaking order  
grs

To

1. The Registrar,  
Tamil Nadu Medical Council,  
New No.914, Old No.569,  
Poonamallee High Road,  
Arumbakkam, Chennai – 600 106.
  
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