

**(2025) 11 KAR CK 1802**

**In the Karnataka High Court, Principal Bench**

**Case No : Writ Petition No. 35797 Of 2025 (GM-RES)**

Madhushree S M

APPELLANT

Vs

State Of Karnataka & Ors

RESPONDENT

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**Date of Decision : 28-11-2025**

**Acts Referred:**

**Citation : (2025) 11 KAR CK 1802**

**Hon'ble Judges : Suraj Govindaraj, J**

**Bench : Single Bench**

**Advocate : Kusum Ranganath, Saritha Kulkarni, Brijesh Patil**

**Final Decision : Allowed**

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## **Judgement**

Suraj Govindaraj, J

1. Petitioner is before this Court seeking for the following reliefs:

a. Issue a writ, order or direction, more in the nature of Writ of Mandamus, directing the Third Respondent to admit the Petitioner and take necessary steps to medically terminate the pregnancy of the Petitioner;

b. Grant such other reliefs as this Hon'ble Court may deem just, proper and necessary in the circumstances of the case, in the interest of justice.

2. The petitioner is a 35 year old woman, who is 25 weeks pregnant, having a girl child, who is about 8 years. The petitioner underwent her second trimester scan on 06.11.2025 and 08.11.2025 at Manipal Hospital, Yeshwanthpur. When she was diagnosed that there was severe early onset on IUGR/FGR, resulting in the fetus having severe uteroplacental insufficiency, chromosomal abnormalities resulting in single gene disorders.

3. The said hospital had advised the petitioner that due to high complications in pregnancy, termination of pregnancy was very high and the fetus could be damaged irreversibly.

4. A second opinion at a third hospital was also obtained, which indicated the very same prognosis. In that background, the petitioner had approached this Court seeking for the aforesaid relief.

5. This Court while its order dated 26.11.2025 had constituted a Medical Board at the respondent No.2-Hospital.

6. On examination of the petitioner, a report has been submitted today in a sealed cover.

7. The examination of said report supports the prognosis/diagnosis made by Manipal Hospital and the third Hospital, inasmuch as it has been indicated that the gestational age is 24 weeks, with the fetus having estimated weight of 384 grams, with absent diastolic flow and that the Medical Board has recommended the termination of pregnancy on the ground that continuation of pregnancy can lead to sudden intrauterine death due to severe FGI and absent diastolic flow in umbilical artery that the estimated fetal weight being less than 2.5 percentile as per the WHO's report. There being a categorical opinion of the Medical Board and each of the individual doctors of the Board that any delay in carrying out a medical termination of pregnancy would also adversely affect the health of the petitioner.

8. In that view of the matter, in the interest of the petitioner and also taking into consideration the opinion of the Medical Board, I pass the following:

#### ORDER

(i) The Writ Petition is allowed.

(ii) Taking into consideration the opinion of the Medical Board, respondent No.3-Hospital is permitted to carry out medical termination of pregnancy in respect of the petitioner by following due process.

(iii) A copy of the opinion of the Medical Board is directed to be furnished to the counsel for respondent No.3, which can in turn be furnished to the concerned Doctors.

(iv) Hand delivery of the operative portion is ordered.