

**THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

FRIDAY, THE THIRTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION NO: 7974 OF 2026

Between:

1. Mrs. Tahera, D/o. Mohammed Bin Ahmed Bin Hamza
2. Yeslam, S/o. Osman Aslam Bin Mahfooz

Petitioners

AND

1. The State of Telangana, Rep. By its Principal Secretary, Medical and Health Department Secretariat Building, Hyderabad
2. Directorate of Medical Education, Rep. by its Director Having Office at Koti, Hyderabad Telangana
3. Authorisation Committee, Rep. by its Chairman, Directorate of Medical Education Office, Koti, Hyderabad, Telangana
4. Star Hospitals, Rep. By its Medical Superintendent At Door No.2-74, Survey No.74, Nanakramguda Circle, Financial District, Hyderabad, Telangana - 500008.

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction, more particularly in the nature of a Writ of Mandamus, a. declaring the action of the Respondents herein in not issuing all the necessary approvals to the Petitioners for proceeding with the liver transplant without insisting for production of any other documents, more particularly any other local approvals/clearances, NOC/Form 21/attested declarations either from the Indian Consulate or Saudi Arabian Embassy or any other authority, b. consequently, direct the Respondent No. 2 and 3 herein to issue all the necessary approvals to the Petitioners for proceeding with the liver transplant without insisting for production of any other documents, more particularly any other local approvals/clearances, NOC/Form 21 / attested declarations either from the Indian Consulate or Saudi Arabian Embassy or any other authority.

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased For the reasons stated in the accompanying affidavit, pending disposal of the present Writ Petition, the Respondents be directed to forthwith process the application of the

Petitioners for Liver Transplantation without insisting for production of any other documents, more particularly any other local approvals/clearances so as to facilitate the Respondent No.4 hospital to perform the transplantation so as to avoid loss of life of the Petitioner No.1, pending disposal of WP 7974 of 2026, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri R.ANURAG, Advocate for the Petitioners, GP FOR MEDICAL HEALTH FW for the Respondent Nos.1 to 3 and the Court made the following.

ORDER:

The petitioners are Indian citizens, however, they are residing in Saudi Arabia for over three decades for employment purpose. During the recent visit of the petitioners to India, petitioner No.1 suffered a health issue, and the diagnosis revealed that she has "decompensated Cirrhosis of Liver" disease, to which the respondent No.4-hospital advised liver transplantation. Upon approaching respondents No.2 and 3, i.e., Directorate of Medical Education, and also the Authorisation Committee for Organ Transplant, they refused to receive and consider the application of the petitioner No.1 on the ground that the petitioner does not have Aadhar Card / Residence Certificate issued by the local authority here in India.


1.1. It is their grievance that as they moved to Saudi over three decades ago, they do not possess Aadhar Card, however, they hold Indian Passport, and also the relationship with petitioner No.2 (son of petitioner No.1) as certified under Family Structure Declaration attested Indian Consulate at Jeddah.

1.2. Learned counsel Mr. R. Anurag appearing for the petitioner prays to consider the documentation as available with the petitioners for granting of approval for liver transplantation, without insisting for production of any other documents, more particularly any other local approvals / clearances, so as to facilitate the respondent No.4 – Star Hospitals, to perform the transplantation procedure.

2. Learned Government Pleader for Medical, Health and Family Welfare submits that the authorities would consider the request of the petitioner if the petitioner produces the documents available with her.

3. Having considered the respective submissions, considering that the petitioners are Indian nationals having Indian passport, and living in Saudi Arabia for over three decades and not in possession of Aadhar Card / local Residence certificate, however, they have an attested document from Indian Consulate in Jeddah certifying the relationship between petitioners No.1 and 2, and further considering that the petitioner No.1 requires liver transplantation, and petitioner No.2 (the son) is the donor, this Court is inclined to direct the respondents No.2 and 3 to forthwith consider the documents available with the petitioners for approval of the required medical procedure for liver transplantation.

4. List on 30.03.2026.


Sd/- U.SUDHA
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, Medical and Health Department, State of Telangana, Secretariat Building, Hyderabad.
2. The Director, Directorate of Medical Education, Office at Koti, Hyderabad Telangana.
3. The Chairman, Authorisation Committee, Directorate of Medical Education Office, Koti, Hyderabad, Telangana.
4. The Medical Superintendent, Star Hospitals, Door No.2-74, SurveyNo. 74, Nanakramguda Circle, Financial District, Hyderabad, Telangana -500008 (for 1 to 4 by SPAD)
5. One CC to SRI. R·ANURAG Advocate [OPUC]
6. Two CCs to GP FOR MEDICAL HEALTH FW, High Court at Hyderabad. [OUT]
7. One spare copy

HIGH COURT

NBK, J

DATED:13.03.2026

LIST ON 30.03.2026

ORDER

WP.No.7974 of 2026

DIRECTION

