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IN THE HIGH COURT OF JUDICATURE AT MADRAS

ORDERS RESERVED ON : 25-09-2026

ORDERS PRONOUNCED ON : 18-11-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No. 19901 of 2026

CNR: {HCMA010962532026}

Case QR

Dhanalakshmi @ Nagavalli
D/o. G.Kaliyappan,
No. 89 New Street,
Vambakeerapalayam,
Puducherry 605 001

..Petitioner(s)

Vs

1. The Union of India
   Rep. by the Secretary
   Ministry of Home Affairs (MHA),
   North Block, New Delhi 110 001.

2. The Secretary to Govt (Home)
   Secretariat, Beach road,
   Puducherry 605 001.

3. The District Collector
   Government of Puducherry,
   Vazhudavoor Road,
   Puducherry 605 009

4. The Under Secretary to Govt.
   Home Department,
   Secretariat, Beach Road,
   Puducherry 605 001

5. The Inspector of Police,
   Odian Salai Police Station, Bussy Street,
   MG Road Area, Puducherry.
   (R5 SUO MOTU IMPLEADED VIDE ORDER
   DATED 12.08.2026 MADE IN
   WP.19901/2026)

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..Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the respondents to consider petitioner representation dated 15.12.2025 and investigate the petitioner's daughter P.Bharathy death happened at Al Raffah Hospital, Sultanate Oman in proper perspective by taking up the matter with the Embassy of India to bring about the truth and proceed the matter in accordance with law and pass such other order or further orders.

For Petitioner(s): Mr.S.Pushpakaran

For Respondent(s): Mr.K.R.Samratt, Senior Panel Counsel for R1
Mr.Ramaswamy Meyyappan
Govt. Advocate for RR2 to 4
Mr.Durai Gunsasekaran
Govt. Advocate (Crl.Side) for R5

ORDER

This writ petition seeks a writ of mandamus directing the respondents to consider the petitioner's representation dated 15.12.2025 and to take appropriate steps, in coordination with the Embassy of India in the Sultanate of Oman, to ensure proper investigation into the circumstances surrounding the death of her daughter - P. Bharati, at Aster Al Raffa Hospital in Oman.

2. The case of the petitioner is that she is residing at Puducherry. Her daughter-Bharati, is a qualified nurse who completed her B.Sc., degree in Nursing and registered with the Tamil Nadu Nurses and Midwives Council. She applied for and secured employment as a Staff Nurse at Aster Al Raffa Hospital,

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Al Ghubra, Muscat, Sultanate of Oman. She was selected and appointed on 18.07.2022 and had been working in Oman since then.

3. On 04.04.2025, at about 9.30 p.m., the petitioner's daughter called the petitioner, as usual, and conversed with her for approximately 30 minutes. However, on the following day, namely, 05.04.2025, at about 3.30 a.m. Indian time, the petitioner received a telephone call from the hospital where her daughter was employed. She was informed that her daughter had been admitted to the same hospital in a critical condition. No further details were provided, and the call was disconnected.

4. At about 5.00 a.m. on the same day, the petitioner received another telephone call from the hospital authorities informing her that her daughter had died. When the petitioner enquired about the reason for, or cause of, her daughter's death, no information was disclosed to her.

5. Thereafter, the petitioner received her daughter's body, duly embalmed and sealed. By an email dated 03.08.2025, the hospital authorities informed the petitioner that they were following up the matter with the police and would obtain the post-mortem report for further action. Apart from the said

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communication, the petitioner has received no further response from the hospital authorities.

6. The petitioner suspects that her daughter's death was unnatural and that the authorities in the Sultanate of Oman are attempting to conceal the circumstances surrounding her death and close the matter in haste.

7. Therefore, the petitioner submitted a representation dated 15.12.2025 to the third respondent, namely, the District Collector, Puducherry, who, in turn, forwarded it to the fourth respondent, namely, the Under Secretary to Government, Home Department, Puducherry. Despite the petitioner's repeated approaches to the respondents, no further action has been taken to date. Hence, the petitioner has approached this Court.

8. After notice, *Mr.K.R.Samrat,* learned counsel appearing for the first respondent, namely, the Secretary to the Government of India, Ministry of Home Affairs, placed on record a laboratory investigation report and a discharge summary form, both dated 04.04.2025. A death form received from the Sultanate of Oman, dated 07.04.2025, was also placed on record.

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9. Learned counsel submitted that the records indicate that the petitioner's daughter felt unwell and was admitted to the hospital. While conscious, she did not disclose anything to the doctors. However, the records refer to family stress and other symptoms. At the time of admission, only dehydration was noted. Despite being questioned, she appears to have denied having engaged in any act of self-harm. An ultrasound examination was also performed at that stage.

10. Thereafter, her condition deteriorated. She became unresponsive and began frothing at the mouth. Her pupils were dilated and reacted sluggishly to light. At about 12.45 a.m., she suffered a cardiac arrest, and cardiopulmonary resuscitation (CPR) was administered. However, she was declared dead at about 1.36 a.m. on 05.04.2025.

11. Learned counsel further submitted that the petitioner's daughter's flatmate had recovered an empty tube of rat poison (zinc phosphide) from her room. It was suspected that she had consumed the substance, and treatment was administered accordingly. However, she did not respond to the treatment and died.

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12. *Mr.Ramasamy Meiyappan,* learned Government Advocate appearing for respondents 2 to 4, submitted that they had forwarded the petitioner's grievance to the first respondent and that it was for the first respondent to pursue the matter with the authorities in Oman and obtain all relevant particulars.

13. Learned counsel submitted a detailed flowchart setting out the steps to be taken in cases of suspicious death. He also produced the comprehensive guidelines issued by the first respondent for investigation abroad, issuance of letters rogatory/mutual legal assistance requests, and service of summons, notices and judicial documents in criminal matters, dated 04.12.2019, vide F. No. 25016/52/2019-LC.

14. Learned counsel submitted that, under the said guidelines, the petitioner could lodge a complaint with the jurisdictional police in India on the basis of the available material and thereafter submit representations to the first respondent. The first respondent would then have to invoke the India–Oman Mutual Legal Assistance Treaty by making a specific request for the collection of evidence from Oman, including hospital records, medical and forensic reports, CCTV footage, witness statements, police investigation records, employer records and other relevant evidence.

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15. He further submitted that an appropriate mutual legal assistance request would have to be prepared by the first respondent and transmitted through diplomatic channels to the Royal Oman Police. The authorities in Oman would thereafter undertake the investigation and transmit the evidence collected to India through the mutual legal assistance mechanism. The Indian investigating agency would then proceed with the investigation and take further legal action, including initiating prosecution or other proceedings in accordance with law, depending on the outcome of the investigation.

16. In these circumstances, this Court has been granting further time to the first respondent to obtain the post-mortem certificate. Learned counsel submitted that, despite repeated email communications, the authorities in Oman had not yet furnished the post-mortem certificate.

17. In the present case, the available records, particularly the discharge summary, disclose an unnatural death. The petitioner may, therefore, lodge a complaint with the jurisdictional police. The investigating authority shall thereafter forward a request to the first respondent, along with a copy of the First Information Report, through the designated login provided to the Puducherry Police.

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18. The first respondent shall examine the request and forward an appropriate request for mutual legal assistance under the treaty through the Embassy channels. The investigation report shall thereafter be obtained from the Royal Oman Police and transmitted to the investigating authority in India, which shall take further action on the basis of the report received.

19. In the result, this writ petition is allowed on the following terms:

(i) The petitioner shall lodge a complaint with the jurisdictional police, who shall thereupon register an FIR concerning the unnatural death under Section 194 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Thereafter, the request for further assistance shall be processed in the manner directed above.

(ii) No costs.

18-11-2026

Neutral Citation: Yes/No

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Ministry of Home Affairs (MHA),
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2. The Secretary to Govt (Home)
Secretariat, Beach road,
Puducherry 605 001.
3. The District Collector
Government of Puducherry,
Vazhudavoor Road,
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4. The Under Secretary to Govt.
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D.BHARATHA CHAKRAVARTHY, J.,

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WP No. 19901 of 2026

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