



2026:KER:51586

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

MONDAY, THE 13TH DAY OF JULY 2026 / 22ND ASHADHA, 1948

WP(C) NO. 22119 OF 2026

PETITIONER:

**ARUN P.K
AGED 39 YEARS
S/O. KRISHNAKUMAR V V,
MEENA NIVAS, PULIKKAL P.O.,
CHERUKAVU, PULIKKAL ERNAD ,
MALAPPURAM, KERALA, PIN - 673637**

**BY ADVS.
SMT.SWETHA P. DILEEP
SHRI.JOHNSON M.M.**

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF HEALTH, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, KERALA, PIN - 695001**
- 2 THE SUPERINTENDENT
GENERAL HOSPITAL, HOSPITAL ROAD,
ERNAKULAM, KERALA, PIN - 682011**
- 3 THE MEDICAL OFFICER
GENERAL HOSPITAL, HOSPITAL ROAD,
ERNAKULAM, KERALA, PIN - 682011**

**BY ADV. ANIRUDH KADAVIL,
GOVERNMENT PLEADER**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13.07.2026, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**



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BECHU KURIAN THOMAS, J.

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Dated this the 13th day of July, 2026

JUDGMENT

Petitioner seeks for a direction to the respondents to ensure that he is subjected to a proper medical examination by a competent specialist and diagnostic investigations, including a CT scan, MRI scan, or such other tests as may be deemed medically necessary by a qualified specialist, for the proper diagnosis of his medical condition.

2. Petitioner claims to be a retired Indian Air Force personnel who suffers from severe pain and abnormal sensations in his head. Alleging that his health is deteriorating, he states that he approached the General Hospital, Ernakulam, on 04.06.2026 and obtained Exhibit-P2 outpatient ticket for consultation. Petitioner further states that, although he consulted the doctor and explained his symptoms, there was a failure to examine him properly or diagnose his illness, and even declined to recommend or conduct the requested diagnostic tests, without assigning any reason. Aggrieved thereby, the petitioner has approached this Court seeking the directions referred to above.

3. The learned Government Pleader, upon instructions, submitted that, apart from the outpatient ticket obtained by the petitioner, there is no record to show that he had consulted any doctor.



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In the absence of any material to establish that the petitioner had, in fact, consulted a doctor, it is not possible to verify the veracity of the allegations raised in the writ petition. It was further submitted that, normally, a doctor would prescribe the necessary diagnostic tests only after examining the patient and arriving at a provisional diagnosis of the illness.

4. Having heard the learned counsel for the petitioner as well as the learned Government Pleader, this Court is of the view that no justiciable cause has been made out in the pleadings in the writ petition. As rightly pointed out by the learned Government Pleader, there are no materials to show that the petitioner had ever consulted any doctor. Not even the name of the doctor has been disclosed. Therefore, it is not possible for the respondents to identify or verify any alleged deficiency on their part. Even otherwise, a patient has to go by the advice of the doctor and not the doctor to abide by the 'directions' of the patient. Whether any particular type of scan is required or not is a matter within the diagnostic prerogative of a doctor. A patient cannot dictate to the doctor that a particular scan ought to be prescribed.

5. Having regard to the above circumstances, I find no merit in the writ petition. However, since the learned Government Pleader submitted that the doctors at the General Hospital are ready to treat the petitioner as and when he approaches them, I am of the view that the petitioner may approach the appropriate hospital, including the



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second respondent, for a proper diagnosis of his alleged illness.

Accordingly, the writ petition is closed.

Sd/-
BECHU KURIAN THOMAS
JUDGE

jka/13.07.26.



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APPENDIX OF WP(C) NO. 22119 OF 2026

PETITIONER'S EXHIBITS

Exhibit P1	TRUE COPY OF THE VETERAN IDENTITY CARD OF THE PETITIONER ISSUED BY INDIAN AIR FORCE
Exhibit P2	TRUE COPY OF THE OP TICKET ISSUED FROM THE GENERAL HOSPITAL, ERRIAKULAM DATED 04.06.2026