

2021 SCC OnLine Mad 5089

In the High Court of Madras
(BEFORE SANJIB BANERJEE, C.J. AND P.D. AUDIKESAVALU, J.)

Sivakumar TD ... Petitioner;
Versus

State of Tamil Nadu, through the Chief Secretary and Others ...
Respondents.

W.P. No. 16248 of 2021
Decided on September 8, 2021

Advocates who appeared in this case:

For the Petitioner : Mr. Arun Kasi

For the Respondents : Mr. P. Muthukumar State Government Pleader

Prayer : Petition under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the Government of Tamil Nadu to immediately re-open the speciality Transgender Clinic at Rajiv Gandhi Government General Hospital in Chennai and to made access to the said hospital available to the transgender community and for an order directing the respondents to ensure that transgender persons who are of legal major age (above 18) are not asked to bring their parents or furnish parental approval for the gender-affirmation process.

The Order of the Court was delivered by

SANJIB BANERJEE, C.J.:— The complaint here was to the speciality transgender clinic at the Rajiv Gandhi Government General Hospital in the city being temporarily closed.

2. A status report has been filed by the Dean of the hospital indicating that the speciality clinic has opened. The clinic is said to be functioning on and from August 6, 2021 and it will continue to function on all Fridays as per the original schedule.

3. The status report also indicates that transgender persons above the age of 18 years do not require parental approval for the gender-affirmation process.

4. Thus, the other grievance of the petitioner is also taken care of that if the concerned person is or appears to be above 18 years of age, parental approval or parents accompanying the person would not be necessary.

5. W.P. No. 16248 of 2021 is disposed of. There will be no order as to costs.