

**ORAL ORDER ON INTERIM PRAYER**

Registry is directed to tag this matter along with W.P.No.11655/2026.

The petitioners in these two petitions are challenging the validity of the Transgender Persons (Protection of Rights) Amendment Act, 2026.

The petitioners, who assert that they are transgender persons identifying as women, are before this Court being aggrieved by the consequences flowing from the amended definition of "transgender person" under Section 2(k) of the Transgender Persons (Protection of Rights) Act, 2019, as amended by the Amendment Act, 2026.

The primary grievance of the petitioners is that, pursuant to the amendment, they are allegedly excluded from the ambit of the statutory definition, resulting in denial of continuation of medical treatment. It is their specific case that both petitioners have been undergoing hormone replacement therapy (HRT) at Ramaiah Hospital since 11.11.2023 and have also been issued Transgender Identity Cards. It is contended that despite being mid-way through treatment, the attending doctors are now unwilling to continue the prescribed course of therapy.

The petitioners contend that such denial of treatment infringes their fundamental rights guaranteed under Articles 14, 15, 16, 19, and 21 of the Constitution of India. Reliance is placed on an interim order passed by the Kerala High Court in an analogous matter, wherein similarly placed persons were permitted to continue hormone therapy and appropriate directions were issued to facilitate uninterrupted treatment.

Per-contra, the learned Additional Solicitor General submits that no material is placed on record to demonstrate that the authorities have initiated or proposed coercive action restraining such treatment. It is further submitted that the issue relating to the validity of the amendment is presently sub judice before the Hon'ble Supreme Court, and the Union of India is contemplating filing an application seeking transfer of all similar petitions pending before various High Courts. On these grounds, it is urged that this Court may refrain from granting any interim relief.

This Court has carefully considered the rival submissions and perused the material on record. The medical records produced by the petitioners prima facie indicate that both petitioners have been undergoing hormone replacement therapy since 11.11.2023. At this stage, it cannot be disputed that abrupt discontinuation of such ongoing medical treatment may have adverse and detrimental consequences on their physical and mental well-being.

It is also not in dispute that the issues raised in the present petition, including the challenge to the amended statutory provision, are engaging the attention of the Hon'ble Supreme Court and are likely to be authoritatively settled.

In the facts and circumstances of the case, this Court is of the considered view that, pending adjudication of the larger issues, limited interim protection is required to be extended to the petitioners to ensure that ongoing medical treatment is not disrupted.

Accordingly, it is directed that:

- (i) The petitioners shall be permitted to continue their hormone replacement therapy as per the existing medical protocol;
- (ii) The concerned doctors and medical authorities shall facilitate continuation of such treatment without interruption;
- (iii) The continuation of treatment shall, however, be subject to the outcome of the present writ petition and any orders that may be passed by the Hon'ble Supreme Court, including in any transfer proceedings initiated by the Union of India.

List this matter for further consideration after Summer Vacation, 2026.

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2	<u>30/04/2026</u>	SACHIN SHANKAR MAGADUM	<b>ADJOURNED</b>
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3	<u>29/04/2026</u>	SACHIN SHANKAR MAGADUM	<b>ADJOURNED</b>
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4	<u>27/04/2026</u>	SACHIN SHANKAR MAGADUM	<b>ADJOURNED</b>
		LIST ON 29/04/2026	
5	<u>24/04/2026</u>	SACHIN SHANKAR MAGADUM	<b>ADJOURNED</b>