



**Vidyavardhaka Sangha®**  
**VIDYAVARDHAKA LAW COLLEGE**  
**Sheshadri Iyer Road, Mysuru-01**

**IQAC**  
**Organizes**

## **Demonstration on Mediation Process**



**Mediation**



*By*

**Smt. V Mythili and Team**

**Senior Advocates cum Mediators**  
**Mysuru Mediation Centre, Mysuru.**

**Date: 26-08-2022**

**Time: 1:00PM**

**Venue: Room No – 09**

***All are Cordially Welcome***

**Dr. Deepu P**  
***Principal***

**Prof K. B Vasudeva**  
***Director of Legal Studies***

**Dr. Prakruthi A.R**  
***Co-ordinator***

**VIDYAVARDHAKA LAW COLLEGE,  
SHESHADRI IYER ROAD, MYSURU**

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**Demonstration on Mediation Process  
Report – 2022**

On 26<sup>th</sup> August 2022 a Special Lecture on “**Demonstration of Mediation Process**” was organized for IV<sup>th</sup> and VII<sup>th</sup> ( 3 and 5 Years LL.B) Students for academic purpose. The senior advocates Smt Mythili and Team Mediators from Mysuru Mediation Centre, Mysuru Court, were the resource persons and explained the various stages involved in the Mediation Process through demonstration. The Resource person themselves played a role of parties as well as mediators to resolve the problems related to medical negligence case. Here in this demonstration A patient approaching a doctor expects medical treatment with all the knowledge and skill that the doctor possesses to bring relief to his medical problem. The relationship takes the shape of a contract retaining the essential elements of tort. A doctor owes certain duties to his patient and a breach of any of these duties gives a cause of action for negligence against the doctor. The doctor has a duty to obtain prior informed consent from the patient before carrying out diagnostic tests and therapeutic management. The services of the doctors are covered under the provisions of the Consumer Protection Act, 1986 and a patient can seek redressal of grievances from the Consumer Courts. Case laws are an important source of law in adjudicating various issues of negligence arising out of medical treatment.

They pointed out that, the medical profession is considered a noble profession because it helps in preserving life. We believe life is God given. Thus, a doctor figures in the scheme of God as he stands to carry out His command. A patient generally approaches a doctor/hospital based on his/its reputation. Expectations of a patient are two-fold: doctors and hospitals are expected to provide medical treatment with all the knowledge and skill at their command and secondly they will not do anything to harm the patient in any manner either because of their negligence, carelessness, or reckless attitude of their staff. Though a doctor may not be in a position to save his patient's life at all times, he is expected to use his special knowledge and skill in the most appropriate manner keeping in mind the interest of the patient who has entrusted his life to him. Therefore, it is expected that a doctor carry out necessary investigation or seeks a report from the patient. Furthermore, unless it is an emergency, he obtains informed consent of the patient before proceeding with any major treatment, surgical operation, or even invasive

investigation. Failure of a doctor and hospital to discharge this obligation is essentially a tortious liability. A tort is a civil wrong (right in rem) as against a contractual obligation (right in personam) – a breach that attracts judicial intervention by way of awarding damages. Thus, a patient's right to receive medical attention from doctors and hospitals is essentially a civil right. The relationship takes the shape of a contract to some extent because of informed consent, payment of fee, and performance of surgery/providing treatment, etc. while retaining essential elements of tort.



Finally the mediators effectively concluded the demonstration of Mediation Process with clarified all the doubts from the students. This demonstration of mediation process helps to our students to learn the theoretical as well as practical knowledge. The programme concluded with rendered vote of thanks by course teacher Dr. Prakruthi A R and this programme was witnessed by the staff's and students.