



WEB COPY



W.P.No.4508 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.4508 of 2021

and

W.M.P.No.5123 of 2021

Dr.A.Aruldoss

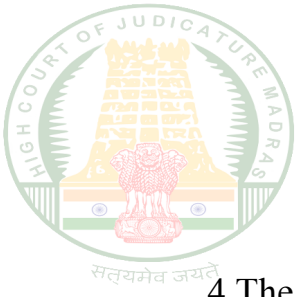
...Petitioner

-Vs-

1.Union of India,
Rep by its Secretary to Government of India,
Ministry of Health and Family Welfare,
Department of Health Research,
Nirman Bhawan, New Delhi.

2.The Secretary,
Government of Tamil Nadu,
Health and Family Welfare Department,
Fort St.George,
Chennai-600 009.

3.The Registrar,
Tamil Nadu Board of Indian Medicine/
Tamil Nadu Siddha Medical Council/
Tamil Nadu Homoeopathy Medical Council,
Arumbakkam, Chennai-600 106.



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4. The Joint Director of
Medical & Rural Health Services &
Family Welfare,
Arani Road (SH-9),
Sankaranpalayam,
Vellore.

5. The Inspector of Police,
Nemili Police Station,
Vellore District.

... Respondents

Prayer: Writ petition filed under Section 226 of Code of Civil Procedure, to issue Writ of Mandamus forbearing the respondents 3 to 5 from interfering petitioner right to practice electro Homeopathy in terms of the 1st respondent letter dated 05.05.2010 based on his representation dated 17.03.2020.

For Petitioner : Mr.C.Prabakaran

For R2, R4 & R5 : Mr.V.J.Priyadarsana
Government Advocate (Crl.Side)

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus to forbear the respondents 3 to 5 from interfering petitioner right to practice electro Homeopathy in terms of the 1st respondent letter dated 05.05.2010 based on his representation dated 17.03.2020.



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2. It is the case of the petitioner is that the petitioner is a practitioner of alternative medicines like Allopathy, Yoga, Naturopathy, Ayurveda, Homeopathy, Siddha or Unani. He has undergone Community Medical Service Certificate Course (CMS) and obtained B.E.M.S in CMS. However, the respondents are labeling the petitioner as unqualified and they are threatening legal action, thereby affecting the rights of the petitioner to do his profession in his fields. In the affidavit filed in support of the writ petition, the petitioner has stated that he will not go to the extent of causing harm to the life of his customers.

3. Heard, Mr.C.Prabakaran, learned counsel appearing for the petitioner and Mr.V.J.Priyadarsana, learned Government Advocate (Criminal Side) appearing for the respondents 2, 4 & 5.

4. In the light of the said assurance given in the affidavit filed in support of the writ petition, the writ petition is disposed of, directing the respondents to permit the petitioner to practice in his field alone. So long as the petitioner is practicing in his mode of medicine, the



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respondents and their police officials are restrained from initiating any action against them. However, it is open to the respondents or their officials to verify and find out whether, the petitioner is practicing in other fields viz. Ayurveda, Siddha, Unani, Allopathy etc, and if the petitioner is practicing in such fields, it is open to the police officials to initiate action against the petitioner in accordance with law. Consequently, connected miscellaneous petition is closed. No costs.

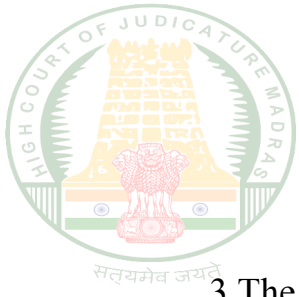
16.08.2022

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
Lpp

To

1.The Secretary to Government of India,
Ministry of Health and Family Welfare,
Department of Health Research,
Nirman Bhawan, New Delhi.

2.The Secretary,
Government of Tamil Nadu,
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Fort St.George,
Chennai-600 009.



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3. The Registrar,
Tamil Nadu Board of Indian Medicine/
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Tamil Nadu Homoeopathy Medical Council,
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4. The Joint Director of
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Vellore.

5. The Inspector of Police,
Nemili Police Station,
Vellore District.

6. The Public Prosecutor,
High Court of Madras, Chennai-104.



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G.K.ILANTHIRAIYAN. J.

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