



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 19999 OF 2026 (GM-RES)

BETWEEN:

SRI. GIRESHANAIK. P
S/O JAYADEVA NAIK. P,
AGED ABOUT 44 YEARS,
POOLAHALLI THANDA
VTC TOWDUR, PO TOWDUR,
DAVANGERE DISTRICT,
KARNATAKA - 583 125.

...PETITIONER

(BY SRI. ASHOKA T, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP. BY ITS PRINCIPAL SECRETARY
DEPARTMENT OF HEALTH AND FAMILY WELFARE
VIKAS SOUDHA, BENGALURU - 560 001.
2. COMMISSIONERATE OF HEALTH
AND FAMILY WELFARE SERVICES,
AROGYA SOUDHA, 1ST MAIN ROAD,
MAGADI ROAD, BENGALURU - 560 023
REP. BY ITS COMMISSIONER/DIRECTOR.
3. THE DISTRICT HEALTH OFFICER,
DAVANAGERE TALUK,
DAVANAGERE - 577 004

Digitally signed
by SWEETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA



4. THE TALUK HEALTH OFFICER,
DAVANAGERE TALUK,
DAVANAGERE - 577 004.

...RESPONDENTS

(BY SRI. MOHAMMED JAFAR SHAH, AGA)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH NOTICE BEARING NO. 25/2025-26 DATED 06.02.2026 ANNEXURE-B ISSUED BY R4. ISSUE DIRECTION OR WRIT OF MANDAMUS TO THE RESPONDENT NO.2 TO 4 OR CONCERNED RESPONDENT FOR NON INTERFERENCE WITH PETITIONER TO PRACTICE, DEVELOP AND RESEARCH ELECTRO HOMEOPATHY IN THE STATE TILL RULES ARE FRAMED BY THE COMPETENT AUTHORITY IN THE INTEREST OF JUSTICE AND EQUITY AND ETC.,

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:
CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. Learned Additional Government Advocate accepts notice for respondent Nos.1 to 4.
2. Petitioner is before this Court seeking for the following reliefs:
 - a. *issue direction or Writ of certiorari to quash notice bearing No. ತಾ.ಆ.ಕ.ದಾ/ಕೆ.ಪಿ.ಎಮ್.ಇ/ 25-2026 dated 06.02.2026 Annexure-D issued by Respondent No.4 in the interest of justice and equity;*
 - b. *issue direction or Writ of Mandamus to the respondent No.2 to 4 or concerned respondent for non interference with petitioner to practice, develop and research Electro Homeopathy in the state till*



rules are framed by the competent authority in the interest of justice and equity;

c. Pass any order/s having regards to the facts and circumstances of the case.

3. The petitioner claims to be a qualified practitioner of Electro Homeo therapy medicine in Davanagere, having completed his Bachelor of Electropathy Medicine System (B.E.M.S.) from Jauhar Medical College of Electro Homeopathy, Hyderabad, and he is also stated to be a member of the Bachelors of Electropathy Medicine System. He, having registered himself under the Karnataka Electro Homeopathy Recognition Research and Development Association (R), Kehrrda, had obtained a membership therein and was treating patients with Electrotherapy.
4. Respondent No.4, the Taluk Health Officer, had issued a notice to the petitioner to close his clinic, as it is not registered under the Karnataka Private Medical Establishment Act, 2007 (for short, "KPME Act"), and it is in that background that the petitioner is before this court seeking for the aforesaid reliefs.
5. The submission of learned counsel for the petitioner is that the said issue has been dealt with by a Coordinate Bench of this Court, vide order dated 08.08.2024 in W.P.No.15771/2024, wherein the Co-



ordinate Bench has considered the decision of the Hon'ble Supreme Court in Civil Appeal No.4642/2018, where it has been recognised that individuals are permitted to practice Electro Homeopathy as an alternative therapy, so long as it is not banned by any competent authority, without possessing a degree or diploma recognized by legislation enacted by a competent legislature. The Hon'ble Supreme Court held that the appellant therein can provide alternative therapy so long as it is not banned by any competent authority.

6. The submission of learned Additional Government Advocate is that though the persons like the petitioner have been permitted by the Hon'ble Apex Court to practice alternative therapy like Electro Homeopathy, it would still be required for the petitioner to register himself under the KPME Act. His submission is also that if an application is so made, without insisting on a degree or diploma issued by a competent authority, the registration would be effected by the concerned authority.
7. Learned counsel for the petitioner submits that the petitioner would be making such an application within 30 (thirty) days from today.



8. In that view of the matter, directing the respondents to consider the application filed by the petitioner for registration under KPME Act, the Court passes the following:

ORDER

- i) Writ petition is ***allowed***.
- ii) A certiorari is issued. The notice bearing No. ತಾ.ಆ.ಕ.ದಾ/ಕೆ.ಪಿ.ಎಮ್.ಇ/25/2025-2026 dated 06.02.20206 at Annexure-D issued by respondent No.4 is quashed.
- iii) The respondents are directed to consider the application of the petitioner for registration under the KPME Act as and when filed, within a period of 30 (thirty) days of such filing.
- iv) Needless to say, if such registration is provided, the respondents are directed not to interfere with practice of Electro Homeopathy by the petitioner.

**SD/-
(SURAJ GOVINDARAJ)
JUDGE**