



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-08-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No. 19008 of 2026

M.Vellaichamy
S/o T. Muthu Kamatchi,
No 1/152, Muthiampatti,
Dharmapuram Taluk,
Tiruppur District 642 201

..Petitioner(s)

Vs.

1. The State Rep. by
The Inspector of Police,
Kundadam Police Station,
Tiruppur District,
Crime No 335/ 2025
2. Dr. Ravi MBBS, DO., Chief Civil Surgeon
Government Hospital,
Udumalaipet
3. The Joint Director
Health Department,
Tiruppur District

..Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 3rd respondent to remove the lock and seal from the petitioner's premises, situated at No 1/152, Muthiampatti, Periyakumarapalayam (Post), Dharapuram Taluk, Tiruppur District, by the 3rd respondent based on FIR No. 335 of 2025 restore the same to petitioner forthwith.

For Petitioner(s): Mr.B.Hari Krishnan

For Respondent(s): Mr.Durai Gunasekaran, GA for R1
Mr.Sakthi Balakrishnan, GA for R3



ORDER

The prayer in the Writ Petition is for a Mandamus directing the 3rd respondent to remove the lock and seal from the petitioner's premises situated at No.1/152, Muthiampatti, Periyakumarapalayam (Post), Dharapuram Taluk, Tiruppur District.

2. The contention of the learned counsel for the petitioner is that the petitioner completed 2 year Diploma in first aid and practical nursing during the period from 2004 to 2006 in an accredited institution and is also a member of the Tamil Nadu Tiruppur District Private Rural Medical Practitioners' Association. The petitioner is practising for nearly 2 decades serving in the rural areas in and around Muthiampatti, where access to qualified allopathic doctors is limited. While so, a case was registered in Crime No.335 of 2025 without following the due process of law and the earlier orders passed by this Court. However, during the course of investigation, his premises is sealed without any power whatsoever and the same is not reopened and hence the petitioner is before this Court.

3. With reference to his practice, the petitioner has earlier approached this Court in CrI.O.P.No.2422 of 2019 and by an order dated 31.01.2019, this Court directed not to harass the petitioner and even if any complaint is received, due summons should be issued to the petitioner. In spite of the above said direction,



the petitioner's premises is now kept under lock on seal and hence this Writ
Petition.

WEB COPY

4. *Per contra*, the learned Government Advocate appearing for the 1st respondent would submit that the premises has been sealed pursuant to the investigation in Crime No.335 of 2025. Though the petitioner may contend that the continued sealing of the premises for a prolonged period is not necessary, it is to be noted that, in the interregnum, the Tamil Nadu Clinical Establishments (Regulation) Rules, 2018 (hereinafter referred to as "the Rules") have come into force. As per Rule 2(c) of the Rules, the term "clinic" has been defined. Even under the act, viz., the Tamil Nadu Clinical Establishments Regulation Act, 1997 penal provisions are there, if clinics are run by an unqualified persons. In view of the same, even if the seal is opened, the petitioner cannot claim himself to be a medical practitioner and run the clinic.

5. I have considered the rival submissions made on either side and perused the material records of the case.

6. It is seen that the petitioner's premises has been sealed, pursuant to the investigation by the 1st respondent – Police. However, continued sealing of the premises is not required for the prosecution and the petitioner cannot be divested of the proprietary rights with reference to the immovable property. But



the petitioner can certainly be prohibited from running a clinic without registration as per the Rules and if the petitioner is not qualified to practice any other form of natural medicine also, certainly the authorities can prohibit the same, in the absence of the registration.

7. In view thereof, this Writ Petition is allowed on the following terms,

(i) Upon receipt of the web copy of this order, the petitioner shall file an affidavit before respondents 1 and 3, undertaking that he shall not run a clinic at the present premises without obtaining registration in accordance with the Rules and that, unless and until he is duly registered, he shall not carry on his medical practice at the said premises;

(ii) Upon an affidavit is filed, the 1st respondent shall remove the seal and put the petitioner back into possession of the premises;

(iii) The aforesaid action shall be completed within five working days from the date of receipt of the web copy of this order.

13-08-2026

Neutral Citation: Yes/No

JER

To

1. The Inspector of Police,
Kundadam Police Station,
Tiruppur District,
Crime No 335/ 2025
2. The Joint Director
Health Department,
Tiruppur District



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D.BHARATHA CHAKRAVARTHY, J.

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