

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE**

WEDNESDAY, THE 1ST DAY OF APRIL 2015/11TH CHAITHRA, 1937

WA.No. 770 of 2015 ()

(AGAINST THE ORDER IN WP(C).NO.2759/2015 DATED 23-03-2015)

APPELLANT/RESPONDENT NO.4:

**A.P.M.CLINIC,
KURUPPATHALIL HIGH SCHOOL ROAD, KOLATHUR P.O.,
MOORKKANADU GRAMA PANCHAYATH, MALAPPURAM - 679 338,
REPRESENTED BY DR.ANEESH T. DHAR.**

BY ADV. SRI.GOKUL DAS V.V.H.

RESPONDENT(S)/PETITIONER& RESPONDENTS NO. 2 TO 4:

- 1. UNNIKRISHNAN.U.P, AGED 60 YEARS,
S/O. NARAYANA MENON, UPPILAPATTA PUTHENVEEDU,
KOLATHUR P.O., MALAPPURAM - 679 338.**
- 2. THE DISTRICT MEDICAL OFFICER,
MALAPPURAM, CIVIL STATION P.O.,
MALAPPURAM DISTRICT - 676 505.**
- 3. MEDICAL OFFICER,
PRIMARY HEALTH CENTRE, MOORKANAD, KOLATHUR P.O.,
MALAPPURAM - 679 338.**
- 4. MOORKKANADU GRAMA PANCHAYAT,
VENGAD P.O., MALAPPURAM DISTRICT - 679 338,
REPRESENTED BY ITS SECRETARY.**

**R1 BY ADV. SRI.BIJU ABRAHAM
SRI.J.G.SYAMNATH**

**R2 & R3 BY SPL.GOVERNMENT PLEADER SMT. GIRIJA GOPAL
R4 BY ADV. SRI.P.K.NIJOY**

**THIS WRIT APPEAL HAVING COME UP FOR ADMISSION
ON 01-04-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

sts

**ASHOK BHUSHAN, CJ
& A.M.SHAFFIQUE, J.**

W.A.No.770 of 2015

Dated this the 1st day of April 2015

J U D G M E N T

Ashok Bhushan, CJ

Heard learned counsel for the appellant and the learned counsel for the respondents.

2. This writ appeal has been filed against the interim order dated 23/03/2015 in W.P.C.No.2759/2015 by which the learned Single Judge directed the respondents to file a counter affidavit and further directed that the 4th respondent shall not be permitted to operate the clinic without valid licence issued by all the concerned authorities. The learned counsel for the appellant submits that the application for licence has already been submitted and the clinic has been running for more than a decade. He further submits that he has raised an issue regarding maintainability of the writ petition.

3. Be that as it may, the writ petition being pending, it is always open for the petitioner/4th respondent to pray for vacation of the interim order and raise such submissions as permissible under law. We see no reason to interfere with the interim order passed by the learned Single Judge in the writ petition.

Leaving all the issues open, this writ appeal is closed.

(sd/-)

(ASHOK BHUSHAN, CHIEF JUSTICE)

(sd/-)

(A.M.SHAFFIQUE, JUDGE)

jsr

