

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 29TH DAY OF MAY 2015/8TH JYAISHTA, 1937

WP(C) .No. 15932 of 2015 (N)

PETITIONER(S) :

DR.SEBASTIAN K.D.,
AGED 50 YEARS, KALLUKALAM HOUSE,
VEROOR (P.O) , CHANGANACHERRY,
KOTTAYAM (DIST)-686 502.

BY ADV. SRI.S.S.RAJESH.

RESPONDENT(S) :

1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY TO GOVERNMENT,
HEALTH AND FAMILY WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.
2. THE CENTRAL COUNCIL OF HOMEOPATHY,
REPRESENTED BY ITS SECRETARY, 10-COMMUNITY CENTRE,
BASANI LOK, VASANT VIHAR, NEW DELHI-110 057.
3. THE REGISTRAR,
TRAVANCORE COCHIN MEDICAL COUNCIL,
NEAR GENERAL HOSPITAL, THIRUVANANTHAPURAM.
4. UNION OF INDIA,
REPRESENTED BY SECRETARY,
MINISTRY OF HEALTH AND FAMILY PLANNING, NEW DELHI.
5. DIRECTOR GENERAL OF POLICE,
OFFICE OF THE DIRECTOR GENERAL OF POLICE,
THIRUVANANTHAPURAM.
6. DISTRICT COLLECTOR,
OFFICE OF THE COLLECTOR, KOTTAYAM.
7. DISTRICT MEDICAL OFFICER,
KOTTAYAM.

BY SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL,
BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR &
BY SRI.N.RAGHURAJ, SC, TCMC & KNMC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 29-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

- EXHIBIT P1: A COPY OF THE CERTIFICATE ISSUED BY THE BOARD OF GOVERNMENT EXAMINATIONS IN HOMEOPATHY MEDICINE AND SURGERY DATED 25.10.1990.
- EXHIBIT P2: A COPY OF THE REGISTRATION CERTIFICATE UNDER THE TRAVANCORE COCHIN MEDICAL PRACTITIONERS ACT DATED 20.11.1989.
- EXHIBIT P3: TRUE COPY OF THE ABSTRACT G.O. NO.1244/88/BHAM DATED 9.5.1988.
- EXHIBIT P4: TRUE COPY OF THE I.A.ORDER NO.10382 IN WPC 38215/2008 ISSUED BY THE HON'BLE KERALA HIGH COURT DATED 30.7.2012.
- EXHIBIT P5: TRUE COPY OF THE CITATION OF SREEDHARAN VS KERALA STATE.
- EXHIBIT P6: TRUE COPY OF THE JUDGEMENT DATED 16.7.2012 IN WPC NO.38215/2008.
- EXHIBIT P7: TRUE COPY OF THE LETTER ISSUED BY THE TAMIL NADU HOMEOPATHY MEDICAL COUNCIL CONSTITUTED BY GOVERNMENT ISSUED TO POLICE AUTHORITY DATED 22.3.2006.
- EXHIBIT P8: A TRUE COPY OF THE O.P.NO.13542/93 DATED 6.10.1993 IN HON'BLE HIGH COURT OF KERALA JUDGMENT.
- EXHIBIT P9: TRUE COPY OF THE LSIT OF EXEMPTION GRANTED BY THE KERALA STATE GOVERNMENT.
- EXHIBIT P10: TRUE COPY OF THE EXTRACT DATED 25.2.2011.
- EXHIBIT P11: TRUE COPY OF THE GOVERNMENT ORDER NO.114/11 DATED 21.2.2011.
- EXHIBIT P12: TRUE COPY OF THE EXTRACT OF JUDGMENT BY MADRAS HIGH COURT DATED JULY 2010.
- EXHIBIT P13: TRUE COPY OF SUCH A REPRESENTATION DATED 11.5.2014.
- EXHIBIT P14: TRUE COPY OF THE JUDGMENT OF WPC NO:1540/2015 DATED 29TH DAY OF JANUARY 2015.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

K. VINOD CHANDRAN, J

W.P(C) No.15932 of 2015

Dated this the 29th day of May, 2015

J U D G M E N T

This Court in Ext.P14 judgment found so:

“This Court does not find it necessary to adjudicate the issue on merits, since it is upto the Government to consider and pass orders on Ext.P13 representation. Accordingly, the Writ petition is disposed of, directing the first respondent/State to consider and pass appropriate order on Ext.P13, after affording an opportunity of hearing to the petitioner, at the earliest, at any rate, within three months from the date of receipt of a copy of this judgment. 'Status quo' shall be maintained till such time.

Petitioner shall produce a copy of this judgment along with a copy of this writ petition, before the first respondent for further steps.”

The same directions as above shall also apply in this case also.

Sd/-

(K. VINOD CHANDRAN, JUDGE)

jma

//true copy//

P.A to Judge