

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 8TH DAY OF JUNE 2015/18TH JYAISHTA, 1937

WP(C).No. 16351 of 2015 (T)

PETITIONER(S):

**DR.MANOJ KUMAR G., AGED 48 YEARS,
DR.M.P.VELU MEMORIAL MEDICAL CENTRE,
ANCHUTHENGU (P.O.), TRIVANDRM (DISTRICT) 695 309.**

BY ADV. SRI.S.S.RAJESH

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY TO GOVERNMENT,
HEALTH AND FAMILY WELFARE DEPARTMENT,
GOVERNMENT SECRERTARIAT, 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 DIRECETOR GENERAL OF POLICE,
THIRUVANANTHAPURAM.**
- 6. DISTRICT COLLECTOR,
OFFICE OF THE COLLECTOR, TRIVANDRUM.**
- 7. DISTRICT MEDICAL OFFFFICER,
TRIVANDRUM.**

**R1, R5 TO R7 BY GOVERNMENT PLEADER SMT.C.K.SHERIN
R2 BY ADV. SMT.MINI.R.MENON
R3 BY ADV. SRI.N.RAGHURAJ, SC, TCMC & KNMC
R4 BY ADVS. SRI.DINESH R.SHENOY, CGC
SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
08-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1 ACOPY OF THE CERTIFICATE ISSUED BY THE BOARD OF GOVERNMENT EXAMINATIONS HOMEOPATHY MEDICINE AND SURGERY DATED 27/7/90.

EXT.P2 ACOPY OF THE REGISTRATION CERTIFICATE UNDER THE TRAVANCORE COCHIN MEDICAL PRACTITIONERS' ACT DATED 16/5/1990.

EXT.P3 TRUE COPY OF THE ABSTRACT G.O.NO 1244/88/BHAM DATED 9/5/1988.

EXT.P4 TRUE COPY OF THE I.A.ORDER NO 10382 IN WPC 38215/08 ISSUED BY THE HON'BLE KERALA HIGH COURT DATED 30/7/12.

EXT.P5 TRUE COPY OF THE CITATION OF SREEDHARAN VS KERALA STATE.

EXT.P6 TRUE COPY OF THE JUDGMENT DATED 16/7/12 IN WPC 38215/08.

EXT.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.

EXT.P8 ATRUE COPY OF THE OPNO 13542/93 DATED 6/10/1993 IN HON'BLE HIGH COURT OF KERALA JUDGMENT.

EXT.P9 TRUE COPY OF THE LIST OF EXEMPTION GRANTED BY THE KERALA STATE GOVERNMENT.

EXT.10 TRUE COPY OF THE EXTRACT DATED 25/2/2011.

EXT.P11 TRUE COPY OF THE GOVERNMENT ORDER NO 114/11 DATED 21/2/11.

EXT.P12 TRUE COPY OF THE EXTRACT OF JUDGMENT BY MADRAS HIGH COURT DATED JULY 1010.

EXT.P13 TRUE COPY OF SUCH A REPRESENTATION DATED 22/5/14.

EXT.P14 TRUE COPY OF THE JUDGMENT OF WPC NO 1540/2015 DATED 29TH DAY OF JANUARY 2015.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

K. VINOD CHANDRAN, J.

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Dated this the 8th day of June, 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

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**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**

SB

// true copy //

P.A to Judge.

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