

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 27TH DAY OF NOVEMBER 2015/6TH AGRAHAYANA, 1937

WP(C).No. 32396 of 2015 (Y)

PETITIONER(S):

**DR.G.SENAN, AGED 57 YEARS
S/O.GOVINDAN CHANNAR, UDYAMANDIRAM, KAYAMKULAM PO
ALLEPPY DISTRICT-695 305.**

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
PIN-695 001.**
- 2. THE SECRETARY
HOME DEPARTMENT, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM 695 001.**
- 3. THE REGISTRAR
TRAVANCORE COCHIN MEDICAL COUNCIL
NEAR GENERAL HOSPITAL, THIRUVANANTHAPURAM-695 001.**
- 4. DISTRICT POLICE CHIEF
ALAPPUZHA, ALAPPUZHA DISTRICT, PIN-695 305.**
- 5. THE STATION HOUSE OFFICER
VALLIKKUNAM STATION, ALAPPUZHA DISTRICT, PIN-695 305.**

**R1,R 2,R 4,R 5 BY GOVERNMENT PLEADER SRI BIJU MEENATTOOR
R3 BY ADV. SRI.N.RAGHURAJ, SC, TCMC & KNMC**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
27-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(C).No. 32396 of 2015 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS

P1 : TRUE COPY OF THE JUDGMENT IN WPC.NO.1661 OF 2015.

**P2 : TRUE COPY OF THE REPRESENTATION DT 20-2-2015 OF THE PETITIONER
ADDRESSED TO THE 1ST RESPONDENT.**

**P3 : TRUE COPY OF REPRESENTATION DT 19-10-2015 SENT BY THE PETITIONER TO
THE 4TH RESPONDENT.**

P4 : TRUE COPY OF THE JUDGMENT DT 23-7-2009 IN WPC.28624/2006.

P5 : TRUE COPY OF THE ORDER PASSED IN IA.NO.10382/2012 IN WPC.NO.38215/2008.

**P6 : TRUE COPY OF THE PROCEEDINGS SHRINIWAS BALIRAM PABBAWAR VS.
POLICE SUB INSPECTOR.**

**P7 : TRUE COPY OF THE PROCEEDINGS IN DR.S.AROCKIA VARGHESE VS. SUB
INSPECTOR OF POLICE.**

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A TO JUDGE

LSN

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 32396 of 2015

Dated this the 27th day of November, 2015

JUDGMENT

The petitioner claims that he is a medical practitioner in modern medicine. He has applied for exemption of registration under the Travancore-Cochin Medical Practitioners' Act, 1953 (for short 'the Act'). He has approached this Court alleging harassment at the instance of the police.

2. It is to be noted that the petitioner has filed W.P.(C).No.1661/2015. In the judgment in the above writ petition, this Court directed the petitioner to approach the Government under Section 38 of the Act. This Court also directed the Government to dispose the representation within three months from the date of receipt of a copy of this judgment. This Court also ordered to maintain status quo till such time.

2. In that view of the matter, the second writ petition is unsustainable. If no order has been passed by the Government, it is open for the petitioner to take appropriate steps against non-compliance of the judgment.

In view of the facts and circumstances, there is no merit in this writ petition. Accordingly, this writ petition is dismissed.

Sd/-

**A. MUHAMED MUSTAQUE
JUDGE**

bpr