

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 23RD DAY OF NOVEMBER 2015/2ND AGRAHAYANA, 1937

WP(C).No. 35314 of 2015 (L)

PETITIONER:

**REV. FR.GEORGY JOSEPH, AGED 36 YEARS,
S/O.LATE P.V.JOSEPH, PADINJARE PEEDIKAYIL,
ADOOR POST, NEAR H.S.JN., PERINGANADU VILLAGE,
ADOOR TALUK, PATHANANTHITTA-691523.**

**BY ADVS.SRI.C.J.SOLOMAN
SRI.C.A.NAVAS
SMT.E.G.AMBILY
SRI.P.A.SHAJI SAMAD**

RESPONDENTS:

- 1. STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
SECRETARIAT, TRIVANDRUM-690001.**
- 2. CIRCLE INSPECTOR OF POLICE,
ADOOR, PATHANAMTHITTA DISTRICT-691523.**
- 3. SUB INSPECTOR OF POLICE,
ADOOR POLICE STATION, ADOOR-691523.**

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 23-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 35314 of 2015 (L)

APPENDIX

PETITIONER(S)' EXHIBITS :

- P1 : THE PHOTOSTAT COPY OF THE CERTIFICATE OF DIPLOMA ISSUED BY N.E.H.M.OF INDIA DATED 20.03.2006.
- P2 : THE PHOTOSTAT COPY OF THE REGISTRATION CERTIFICATE BEARING D.E.H.M.REGISTRATION NO.2037 ISSUED BY N.E.H.M. OF INDIA DATED 17.07.2006.
- P3 : THE PHOTOSTAT COPY OF THE MARK SHEET ISSUED BY N.E.H.M OF INDIA IN THE ANNUAL EXAMINATION HELD IN THE YEAR DECEMBER 2005.
- P4 : THE PHOTOSTAT COPY OF THE JUDGMENT OF THE HONOURABLE HIGH COURT OF KERALA IN WP(C)19484/2008 DATED 17.12.2008.
- P5 : THE PHOTOSTAT COPY OF THE JUDGMENT OF THE HONOURABLE HIGH COURT OF KERALA 25.05.2010.

RESPONDENT(S)' EXHIBITS: NIL

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.MUHAMED MUSTAQUE, J.

W.P.(C).No. 35314 of 2015

Dated this the 23rd day of November, 2015

J U D G M E N T

The petitioner is a practitioner in electro homoeopathy. The petitioner submits that he has the required qualification to practice the discipline of electropathy/electro homoeopathy. The petitioner further submits that he is entitled for practicing electro homoeopathy in the light of Ext.P5 judgment of this Court. The aforesaid judgment reads as follows:

“The State or its agents shall not interfere in the practice of electropathy/electro homeopathy by the petitioners. But, the petitioners shall not use designations like 'Doctor' etc. They shall not practice Modern Medicine, Homeopathy or any of the Indian systems of Medicine. They shall not act in violation of the provisions of the Kerala Abkari Act or Drugs and Cosmetics Act or other relevant Acts or Rules. If the petitioners continue with the practice of electropathy/electro homeopathy without infringing any other provisions of law, the police shall not interfere with the same. Unless the petitioners commit some cognizable offence by practicing electropathy/electro homeopathy, the police have no power or authority to interfere with their practice or summon them to the police station with a view to prevent their practice of electropathy/electro homeopathy. We make it clear that it will be open to the State or its agents to proceed in

accordance with law if the petitioners violate any statutory provision.”

2. Therefore, this writ petition is disposed of in the light of the above judgment. The petitioner shall follow the directions in the above judgment while practicing electropathy/electro homoeopathy.

The writ petition is disposed of as above.

Sd/

**A.MUHAMED MUSTAQUE,
JUDGE**

jm/