

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE  
AND  
The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.P.No.385 of 2009  
and  
M.P.No.1 of 2009

S.Balachandran

...Petitioner

-vs-

- 1 K. Sakthi Rajarajan
- 2 Dr.Sed Sathar
- 3 Dr.N.Shanmugam
- 4 Dr.P.Jayakumar
- 5 Dr.N.Selvaraj
- 6 The Registrar  
Aringnar Anna Government Hospital Campus  
Arumbakkam, Chennai 106.
- 7 The Drug Controller  
Tamiil Nadu Drug Control And Administration  
No.269 Anna Salai, Chennai 2.
- 8 The Chairman  
Tamil Nadu Medical Council, T.N.E.B. Complex,  
100 Ft. Road, Vadapalani, Chennai-26.
- 9 The Health Secretary  
Government of Tamil Nadu, Secretariat,  
Chennai-9.
- 10 The Director General of Police,  
Mylapore, Chennai-4.
- 11 The Home Secretary,  
Government of Tamil Nadu, Chennai-9.

12 The Registrar,  
Tamil Nadu Siddha Medical Council,  
Saidapet, Chennai.  
(R12 impleaded suo motu as per  
Order dt.28.01.2009 in WP.385/2009)

...Respondents

Petition under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct respondents 6 to 11 herein to direct respondents 1 to 5 to produce the necessary qualification certificates and Registration Certificates authorizing and giving permission to practice as Siddha Doctors and to forbear them from practising as Doctors until they produce the concerned certificates to the satisfaction of the respondents.

For Petitioner : No appearance

For Respondents : No appearance for RR1, 2, 4 to 8

Mr.P.V.Balasubramanian  
for M/s.BFS Legal for R-3

Mr.S.T.S.Moorthy  
Govt. Pleader for RR 9 to 12

#### O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner alleges that the private respondents are practising as 'Siddha' doctors without being entitled to do so. On the first date of hearing on 09.01.2009, a direction was issued to the respondent authorities to inform the Court as to under the control of which authority were the Siddha doctors practising, i.e., who could verify the factum of entitlement of the private respondents to practice as 'Siddha' doctor. Unfortunately, the respondents have not filed any affidavit.

2.We, thus, consider it appropriate to direct the 9<sup>th</sup> respondent to communicate to the appropriate authority controlling the Doctors of Siddha medicine to verify the entitlement of the private respondents to carry on their practice. The 9<sup>th</sup> respondent will do so within two (2) weeks of receipt of the order and the concerned authority to carry out its verification within a maximum

period of two (2) months, after notice to the private respondents.

3.Writ Petition, accordingly, stands disposed of. No costs. Consequently, M.P.No.1 of 2009 stands closed.

Sd/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

sra

To

- 1 The Registrar  
Aringnar Anna Government Hospital Campus  
Arumbakkam, Chennai 106.
- 2 The Drug Controller  
Tamiil Nadu Drug Control And Administration  
No.269 Anna Salai, Chennai 2.
- 3 The Chairman  
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- 5 The Director General of Police,  
Mylapore, Chennai-4.
- 6 The Home Secretary,  
Government of Tamil Nadu, Chennai-9.
- 7 The Registrar,  
Tamil Nadu Siddha Medical Council,  
Saidapet, Chennai.

1 CC to M/s.BFS Legal, Advocate SR.No. 4230

1 CC to the Government Pleader, SR.No. 4266

W.P.No.385 of 2009

PPA (CO)

PSI (10.02.2015)