

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.08.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.13177/2016

S.V.S.Educational & Social Service Trust
rep.by its Chairman & Managing Director
No.74, Gandhi Road, Kallakurichi-606 202
Villupuram District.

.. Petitioner

Vs.

1.The Secretary

Union of India
Ministry of Ayurveda, Yoga &
Naturopathy, Unani, Siddha &
Homeopathy [AYUSH], Ayush
Bhawan, B Block, GPO Complex
INA, New Delhi 110 023.

2.The Secretary

Central Council of Homeopathy
61-65, Institutional Area
Opposite D Block, Janak Puri
New Delhi 110058.

3.The Registrar

Tamil Nadu Dr.MGR Medical University
69, Anna Salai, Guindy
Chennai 600 032.

4.The Special Commissioner

Directorate of Indian Medicine &
Homeopathy Arignar Anna Hospital
Complex, Arumbakkam, Chennai 106.

5.The District Collector

Villupuram District, Villupuram.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus to direct the 5th respondent to remove the seal and permit the petitioner Trust to run the SVS Medical college of Homeopathy and Reasearch Institute, Kallakurichi.

For Petitioner :	Mr.C.Prakasam
For R1& R2 :	Mr.J.Madanagopal Rao, SCGSC
For R3 :	Mr.P.Dinesh Kumar
For R4 :	Mrs.P.Rajalakshmi, GA
For R5 :	Mr.R.A.S.Senthilvel, AGP

ORDER

Heard the learned counsel for the petitioner ; Mr.J.Madanagopal Rao, learned Senior Central Government Standing Counsel appearing for the respondents 1 and 2 ; Mr.P.Dinesh Kumar, learned counsel appearing for the 3rd respondent ; Mrs.P.Rajalakshmi, learned Government Advocate appearing for the 4th respondent and Mr.R.A.S.Senthilvel, learned Additional Government Pleader appearing for the 5th respondent.

2 This Court, in continuation of the order dated 11.08.2016, is passing the following order.

3 The 5th respondent has filed an additional counter affidavit, dated 17.08.2016 and it is relevant to extract the same:-

".....

In order to bring the situation under control and maintain peace, to prevent the Management of the Medical College from entering the premises and tampering with the evidences against them, for fair and proper investigation to be conducted by the investigating agency and finally for preventing the Anti-Social elements from damaging the Medical College, it was decided to seal the petitioner's institution. The Revenue Divisional Officer, Kallakurichi, was directed to seal petitioner's Medical College and the Hostels, which were functioning in the private buildings. The Medical college was sealed in the public interest and to contain the tense situation that prevailed then. The intention of the district administration to seal the college was bona fide and was done in good faith.

The demands of the agitators including alternative arrangements for the students who lost their education in view of closure of college have been complied with and the enquiry of the case is being dealt by CBCID, the Law and Order situation is under control and therefore, the seals may be removed."

4 In the light of the stand taken in the additional counter affidavit, the 5th respondent is ordered to remove the lock and seal put on the petitioner's premises/institution within a period of one week from the date of receipt of a copy of this order.

5 The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

To

- 1.The Secretary
Union of India
Ministry of Ayurveda, Yoga &
Naturopathy, Unani, Siddha &
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- 4.The Special Commissioner
Directorate of Indian Medicine &
Homeopathy Arignar Anna Hospital
Complex, Arumbakkam, Chennai 106.
- 5.The District Collector
Villupuram District, Villupuram.

+3 cc to Mr.C.Prakasam, advocate,sr.48081 & 47691
+1 cc to mr.J.Madanagopal Rao,advocate,sr.48060
+1 cc to Govt.Pleader,sr.47966.

scd(co)
krd 26/8

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