

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2017

CORAM

THE HON'BLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.21981 of 2017
and
W.M.P.No.23045 of 2017

1.C.Venkataraman
2.S.R.Anandan
3.K.Muthusamy
4.S.M.Subramaniam
5.S.Periyasamy
6.K.Senthilkumar Petitioner

Vs.

1.Union of India,
Rep. by its Secretary,
Ministry of Health & Family Welfare,
Nirman Bhawan, New Delhi.

2.Government of Tamil Nadu,
Rep. by its Secretary,
Health & Family Welfare,
Fort St. George, Chennai - 600 009.

3.Nateuro Electro Homeopathy
Medicos of India,
Rep. by its Secretary,
New Delhi - 110 058.

4.The Joint Director of Rural and
Medical Health Services,
Krishnagiri District.

5.The Joint Director of Rural and
Medical Health Services,
Salem District.

6.The Joint Director of Rural and
Medical Health Services,
Erode District.

7.The Superintendent of Police,
Krishnagiri.

8.The Superintendent of Police,
Salem.

9.The Superintendent of Police,
Erode.

... Respondents

Writ Petition filed under Article 226 of The Constitution of India praying to issue a writ of Mandamus, directing the second respondent herein to consider the petitioner's representation dated 26.08.2016 seeking permission to practice BEMS & CMS (ED), in the light of the circular/notification of the first respondent in his proceedings No.V 25011/276/2009-HR dated 05.05.2010 and the judgment of the Hon'ble Apex Court in SLP (C) No.23572/2009 dated 22.01.2015 (GGS Medical Institute and Hospital Elect. and another - Vs- Union of India and others) and pass orders thereon granting permission within a reasonable time frame by this Court.

For Petitioner : Mr.R.Thamaraiselvan
For Respondents: Mr.T.V.Krishnamachari (R1 & R3)
Senior Central Government
Panel Counsel

Mr.R.Rajeswaran (R2, R4 to R9)
Special Government Pleader

O R D E R

Mr.T.V.Krishnamachari, learned Senior Central Government Panel Counsel, takes notice for respondents 1 and 3 and Mr.R.Rajeswaran, learned Special Government Pleader, takes notice for respondents 2, 4 to 9. By consent, the main Writ Petition is taken up for disposal at the admission stage itself.

2.The petitioners have filed the above Writ Petition to issue a writ of mandamus, directing the second respondent to consider their representation dated 26.08.2016 seeking permission to practice BEMS & CMS (ED), in the light of the circular/notification of the first respondent in his proceedings dated 05.05.2010 and the judgment of the Hon'ble Apex Court in SLP (C) No.23572/2009 dated 22.01.2015 (GGS Medical Institute and Hospital Elect. and another - Vs- Union of India and others) and pass orders granting permission, within a reasonable time.

3.The learned counsel appearing for the petitioners submitted that in spite of the fact that the first respondent forwarding the representation to the second respondent, the second respondent has not passed any order.

4.Mr.T.V.Krishnamachari, learned Senior Central Government Panel Counsel appearing for respondents 1 and 3 and Mr.R.Rajeswaran, learned Special Government Pleader appearing for respondents 2, 4 to 9 submitted that the second respondent

may be directed to consider the petitioners' representation dated 26.08.2016 and pass orders in accordance with law.

5. Having regard to the submissions made by the learned counsel on either side and also taking into consideration the limited prayer sought for by the petitioners in the writ petition, without expressing any opinion with regard to the merits of the case, I direct the second respondent to consider the petitioners' representation dated 26.08.2016 and pass orders in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With this observation, the Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

Rg/ahz

To

1. The Secretary,
Union of India,
Ministry of Health & Family Welfare,
Nirman Bhawan, New Delhi.
2. The Secretary,
Government of Tamil Nadu,
Health & Family Welfare,
Fort St. George, Chennai - 600 009.
3. The Secretary,
Nateuro Electro Homeopathy Medicos of India,
New Delhi - 110 058.
4. The Joint Director of Rural and
Medical Health Services,
Krishnagiri District.
5. The Joint Director of Rural and
Medical Health Services,
Salem District.
6. The Joint Director of Rural and
Medical Health Services,
Erode District.

7.The Superintendent of Police,
Krishnagiri.

8.The Superintendent of Police,
Salem.

9.The Superintendent of Police,
Erode.

+ 1 cc to Mr.R. Thamaraiselvan, Advocate Sr.57829

+ 1 cc to Mr.T.V. Krishnamachari, Advocate Sr.59348

+ 5 ccs to Mr.R.Thamaraiselvan, Advocate sr.59829(08/09/17)

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