

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.07.2017

CORAM

THE HON'BLE MR. JUSTICE M.DURAISWAMY

W.P.No.17351 of 2017

1 S.Rathinam
2 C.Rajaeshkumar
3 R.Chockalingam
4 P.Subramani
5 M.Ashokkumar
6 S.Sankar
7 P.Sivam

.... Petitioners

v.

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 Nateur Electro Homeopathy
Medicos of India
Rep. by its Secretary
Dr.N K.Aswathy
New Delhi 110 058

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus directing the 2nd respondent herein to consider the petitioner's representation dated 06.07.2015 seeking permission to practice BEMS & CMS (ED), which has been forwarded by the 1st respondent, vide his letter No. 7 (196) dated - NR-I 05.08.2015 and letter No. 33689/P1/ 2015-1, dated 24.08.2015 in the light of the circular/ notification of the 1st respondent in his proceedings No.V 25011/276/ 2009-HR, dated 05.05.2010 and the judgment of the Honourable Apex Court in SLP (C) No.32572/ 2009 dated 22.01.2015 (GGS Medical Institute and Hospital Elect. and another -Vs-Union of India and others).

For Petitioner : Mr.R.Thamaraiselvan

For Respondents : Mr. B.Rabumanohar
SPC - for R1

Mr.R.Rajeswaran
Spl. Govt. Pleader - for R2

ORDER

The petitioner has filed the above writ petition to issue a Writ of Mandamus directing the 2nd respondent to consider his representation dated 06.07.2015 seeking permission to practice BEMS & CMS (ED), which has been forwarded by the 1st respondent, vide his letter dated 05.08.2015 and letter dated 24.08.2015 in the light of the circular/notification of the 1st respondent in his proceedings dated 05.05.2010 and the judgment of the Honourable Apex Court in SLP (C) No.32572/ 2009 dated 22.01.2015 (GGS Medical Institute and Hospital Elect. and another v. Union of India and others).

2. The learned counsel appearing for the petitioner submitted that in spite of the fact that the 1st respondent forwarding the representation to the 2nd respondent on 05.08.2015, the 2nd respondent has not considered the representation of the petitioner and passed any orders so far.

3. Mr.B.Rabumanohar, learned Senior Panel Counsel, takes notice for the 1st respondent and Mr.R.Rajeswaran, learned Special Government Pleader, takes notice for the 2nd respondent and submitted that the 2nd respondent may be directed to consider the petitioner's representation dated 06.07.2015 and pass orders, in accordance with law.

4. Having regard to the submissions made by the learned counsel on either side and also taking into consideration the limited prayer sought for in the writ petition, without expressing any opinion with regard to the merits of the case, I direct the 2nd respondent to consider the petitioner's representation dated 06.07.2015 and pass orders, in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

With these observations, the writ petition is disposed of. No costs.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

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
Nateur Electro Homeopathy Medicos of India
New Delhi 110 058

+1cc to Mr.R.Thamaraiselvan, Advocate in sr.no.47756

+1cc to Mr.B.Rabu Manohar, Advocate in sr.no.47600

+1cc to Government pleader in sr.no.48455

W.P.No.17351 of 2017

RJ(CO)
NR 18/07/2017



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