



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.04.2017

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THE HON'BLE MR.JUSTICE P.N.PRAKASHW.P.(MD) No.14849 of 2016  
and W.M.P.(MD) 10974/2016

NEYAM TRUST,  
HAVING REG.NO.838/2010,  
REP. BY ITS TRUSTEE MOHAMED RAFI,  
S/O.SYED AHAMED BATCHA,  
57/B2, MUNISALAI ROAD, MADURAI-9.

... Petitioner

-vs-

1. THE DIRECTOR GENERAL OF POLICE,  
SANTHOME, CHENNAI-6.
2. THE HEALTH SECRETARY  
SECRETARIAT, CHENNAI.
3. RAJASEKAR
4. THE DISTRICT COLLECTOR  
DISTRICT COLLECTOR OFFICE,  
GANDHI NAGAR, MADURAI.
5. THE COMMISSIONER OF POLICE,  
MADURAI CITY, MADURAI.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus to direct the respondents and their officials not to interfere with the lawful profession of the members of the Neyam Trust, namely, Acupanchar Theraphist, Cupping Hijamatheraphy, Pranichealing, Naturalpathy and Yoha practitioner within the State of Tamil Nadu in any manner.

For Petitioner : Mr.I.Mohamed Sirajudeen  
For Respondents : Mr.T.S.Mohammed Mohideen,  
Addl. Govt. Pleader

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O R D E R

This petition has been filed, seeking to direct the respondents and their officials not to interfere with the lawful profession of the members of the Neyam Trust, namely, Acupanchar Theraphist, Cupping Hijamatheraphy, Pranichealing, Naturalpathy and Yoha practitioner within the State of Tamil Nadu in any manner.



2. At the outset, in the considered opinion of this Court, the prayer in the writ petition appears like Public Interest Litigation and therefore, the same is not maintainable before this Court. That apart, the mandamus as prayed for by the petitioner cannot be granted, inasmuch as there is a drive by the authorities to prosecute quack Doctors practising as qualified Doctors. If the mandamus as sought for is given, there is every likelihood of quacks taking shelter and therefore, no such orders preventing Enforcement Officers from taking action against them can be passed.

3. Hence, this petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Protocol)

/True Copy/

Sub Assistant Registrar.

To:

1. THE DIRECTOR GENERAL OF POLICE,  
SANTHOME, CHENNAI-6.
2. THE SECRETARY TO GOVERNMENT  
HEALTH DEPARTMENT,  
SECRETARIAT, CHENNAI-9.
3. THE DISTRICT COLLECTOR  
MADURAI.
4. THE COMMISSIONER OF POLICE,  
MADURAI CITY, MADURAI.

+1CC to M/S.I.Mohamed Sirajudeen, Advocate, SR.No. 51799  
+1CC to the Special Government Pleader SR.No. 52041

W.P. (MD) No.14849 of 2016

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