

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 22.02.2019
CORAM
THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.5094 of 2019

Dr.Nibedita Mahana

...Petitioner

Vs.

The Deputy Director (PH) cum
District Registering Authority-CEA Act, 2010
Government of Puducherry
Directorate of Health & Family Welfare Services
No.1, Victor Simonel Street,
Old Maternity Hospital
Puducherry.

...Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to process Application Form dated 27.08.2017 submitted by the petitioner under Section 14(1) and 14(3) of the Clinical Establishments (Registration and Regulation) Act 2010 for grant of provisional certificate of registration for her Homoeopathic Clinic in the name and style of "Niramaya Homoeopathi Clinic" situated at No.72, Thiyagaraja Street, Puducherry - 605 001 and quash the same.

For Petitioner : Mr.M.Vaikunth

For Respondent : Mr.Stalin Abhimanyu
Government Advocate
(Puducherry)

O R D E R

Mr.Stalin Abhimanyu, learned Government Advocate (Puducherry), takes notice for the respondent. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. Heard both sides.

3. The petitioner seeks for a Mandamus directing the respondent to process Application Form dated 27.08.2017 submitted by the petitioner under Section 14(1) and 14(3) of the Clinical Establishments (Registration and Regulation) Act 2010 for grant of Provisional Certificate of Registration for her Homeopathic Clinic in the name and style of "Niramaya Homeopathic Clinic" situated at No.72, Thiyagaraja Street, Puducherry - 605 001 and quash the same.

4. The grievance of the petitioner is that the said application has not been considered by the respondent so far.

5. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the respondent to consider and decide the same on merits and in accordance with law. Accordingly, this writ petition is disposed of, only by directing the respondent to consider the application dated 27.08.2017 and pass orders on the same on merits and in accordance with law. Such exercise shall be done by the respondent within a period of four weeks from the date of receipt of a copy of this order, if no order is passed so far. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mk

To

The Deputy Director (PH) cum
District Registering Authority-CEA Act, 2010
Government of Puducherry
Directorate of Health & Family Welfare Services
No.1, Victor Simonel Street,
Old Maternity Hospital
Puducherry.

+1cc to Mr.Prakash Adiapadam, Advocate, S.R.No.16701
+1cc to the Government Pleader, Puducherry, S.R.No.16797

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RSV(CO)

rrs 01/03/2019

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