

Crl.OP No.19254 of 2019**N.ANAND VENKATESH., J.**

The learned Additional Advocate General has brought to the notice of this Court a very serious issue, wherein, the petitioner before this Court claimed himself to be registered before the Tamil Nadu Siddha Medical Council and Tamil Nadu Board of Indian Medicine by virtue of a certificate granted by the said authorities and it has come to light that no such certificate has been granted to the petitioners by the said authority.

2.The petitioners in W.P Nos.30829, 30836, 30839, 30843 and 30846 of 2018 and W.P No.21269 of 2019 approached this Court earlier and this Court passed the order as follows:

The relief sought for in these petitions cannot be granted by this Court since an omnibus relief is sought for against the police not to initiate any action or label the petitioners as a unqualified medical practitioner. Such an omnibus relief can never be granted by this Court.

2. These Writ Petitions are disposed of by giving liberty to the petitioners to workout their remedy as and when any individual complaints are made against the petitioners or the petitioners are put to harassment by any police in the name of enquiry, inspite of the petitioners possessing necessary qualification to practice medicine. Consequently, connected miscellaneous petitions are closed.

3. At the time of passing the above order, this Court was not aware as to whether the petitioners were holding a valid certificate given by the Tamil Nadu Siddha Medical Council and Tamil Nadu Board of Indian Medicine.

4. Subsequently, W.P No.17853 of 2019 came to be filed before

this Court by one another person, who claimed himself to be qualified Siddha Medical Practitioner and he wanted a direction to the police not to harass him. When the matter came up for hearing, the learned Additional Advocate General has brought to the notice of this Court that this petitioner has produced a bogus certificate and no such certificate was granted in favour of the petitioner by the Tamil Nadu Siddha Medical Council or Tamil Nadu Board of Indian Medicine.

5. Numerous petitions are filed before this Court by the persons claiming themselves to be Tamil Nadu Siddha Medical Council and Tamil Nadu Board of Indian Medicine practitioners for a direction to the police not to interfere with their practice. This Court was also passing routine orders in all those petitions. However, now it is brought to the notice of this Court that many of these petitioners have filed bogus certificate before this Court and obtained orders and the police is not able to take any action in view of the orders passed by this Court.

6. This issue becomes more serious since the public health is involved and therefore, this Court must be very careful in giving directions to the police not to interfere with the persons practising medicine without a valid certificate.

7. The learned counsel for the petitioner submitted that the petitioner was given valid certificates by the concerned authority and there is no need for the petitioner to produce bogus certificate before this Court. The learned counsel further submitted that there is a big racket inside the Tamil Nadu Siddha Medical Council and Tamil Nadu Board of Indian Medicine, where false certificates are being issued to the persons who do not even undergo training. Therefore, this Court should not come to a conclusion that the certificates produced before this Court by the petitioner is bogus.

8. This issue requires a thorough investigation. Starting the investigation with the petitioner before this Court, will give a fair idea regarding the prevailing situation.

9. The Inspector of Police, CBCID, Chennai is directed to immediately take up investigation in this case and conduct an enquiry and file a report before this Court as to whether the petitioner possess valid certificate issued by the Tamil Nadu Siddha Medical Council and Tamil Nadu Board of Indian Medicine or those certificates are bogus. The concerned Investigating Officer shall also investigate and find out if there is any black-sheep in the Tamil Nadu Siddha Medical Council and Tamil Nadu Board of Indian Medicine, who is instrumental in issuing bogus/false certificates.

10. The investigation shall be completed within a period of six weeks and a report shall be filed before this Court. Till the filing of the final report before this Court, the petitioner shall not undertake the practice of Siddha Medicine and Ayurvedha medicine and he shall wait for the final order in the above petition. The Registry of this Court is directed to co-operate during the enquiry by providing copy of the petitions and documents filed by the petitioner in the above case.

11. Post this case after six weeks.

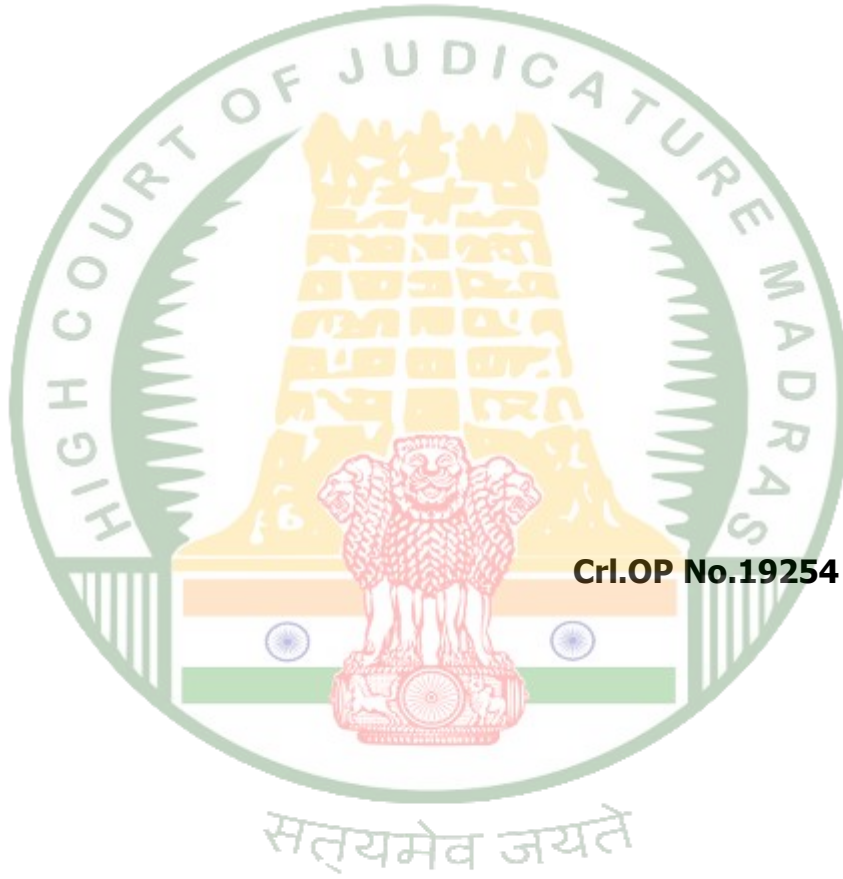
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