



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2019

CORAM:

THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE Mr.JUSTICE KRISHNAN RAMASAMY

W.P. (MD) .No.21439 of 2019

and

W.M.P. (MD) No.18108 of 2019

S.Senthil Kumar

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The District Siddha Medical Officer,
Sivagangai,
Sivagangai District.

3.The Director,
Indian Medicine and Homeopathy,
Arumbakkam,
Chennai.

4.V.Ramani

5.Periyakaruppan

6.Karuppaiah

... Respondents

PRAYER: This petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, by directing the 1st to 3rd respondents to take appropriate action against the 4th to 6th respondents upon the petitioner's representation, dated 23.10.2018 and consequently to take steps to preserve and protect "Gandeeepam Narpani Mandram", situated at Keelavayal Village, Thiruppathur Taluk, Sivagangai District.



For Petitioner : Mr.C.Selvaraj

For Respondents : Mr.M.Murugan
(R1 to R3) Govt.Advocate

O R D E R

(Order of this Court was made by T.S.SIVAGNANAM, J)

We have heard Mr.C.Selvaraj, learned Counsel appearing for the petitioner, Mr.M.Murugan, learned Government Advocate, accepting notice on behalf of respondents 1 to 3.

2. By consent of either side, this Writ Petition is taken up for final disposal.

3. In the light of the order we propose to pass in this writ petition, notice to the respondents 4 to 6 is dispensed with.

4. The petitioner, claiming himself to be a public interest litigant, has come forward with this writ petition to save the Siddha Hospital, established by 'Gandeeepam Narpani Mandram' in Sivagangai District. According to the writ petitioner, the private respondents are attempting to sell the immovable property, where the medicinal plants and herbs are grown, which are the raw-materials for manufacturing of Siddha medicines. It is submitted that if clandestinely the properties are sold, then the very functioning of the Siddha hospital would be affected and the public of the area will be put to great prejudice.

5. The learned Government Advocate appearing for respondents 1 to 3 pointed out that the petitioner is not a member of 'Gandeeepam Narpani Mandram', which is a registered Trust. Further, it is submitted that there is a civil dispute with regard to the land in which medicinal plants are grown between the 4th respondent and the respondents 5 and 6. The 4th respondent is the Secretary of the Trust. Thus, it is clear that the petitioner is the 3rd party appears to have not been well informed about the internal disputes. Therefore, by way of this writ petition styled as, Public Interest Litigation, we cannot issue any direction, that too, at the instance of the writ petitioner. We are informed by the learned Government Advocate that already the matter is receiving the attention of the District Collector, who will take appropriate steps to ensure that the hospital is functioning smoothly. We made it clear that any observation made by us in this order will have no impact on the civil dispute between the respondents 4 to 6. In the light of the fact that the District Collector is already looking into the matter,



no direction is required in this writ petition. Hence, the Writ Petition is dismissed. No costs. Consequently, the connected miscellaneous petition is also dismissed.

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Sd/-

Assistant Registrar (Writs)

// True Copy //

Sub Assistant Registrar(CS)

MPK

To

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The District Siddha Medical Officer,
Sivagangai,
Sivagangai District.
- 3.The Director,
Indian Medicine and Homeopathy,
Arumbakkam,
Chennai.

+1 CC to M/s.GP (SR-91912[F] dated 15/10/2019)

W.P. (MD) .No.21439 of 2019
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JMN(30.10.2019) 3P : 5C