

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2020

CORAM :

The Hon'ble Mr.A.P.SAHI, THE CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.9391 of 2020

Dr.M.Muniappan

.. Petitioner

-vs-

1.Union of India,
Ministry Health and Family Welfare,
Rep. by its Secretary, Nirman Bhavan
New Delhi. 110 011.

2.State of Tamilnadu,
rep. by Secretary to Govt.,
Health and Family Welfare Dept.,
Secretariat, Chennai 600 009.

3.The Director of Public Health and
Preventive Medicine, Teynampet,
Chennai 600 006.

4.The President,
Indian Society of Medical Acupuncture,
Union Territory of Delhi,
N-9, Greater Kailash, Part-I,
New Delhi 110 048.

5.The Director,
National Institute of Siddha,
Govt. of India, Tambaram Sanitorium,
Chennai 47.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 1st and 2nd respondents to consider the petitioner's e-mail (representation) dated 06.04.2020 to give Acupuncture Treatment to the Covid-19 (Corona Patient).

For Petitioner : Mr.B.Shakthivel

For Respondents : Mr.V.Jayaprakash
Narayanan
State Government Pleader
for RR 2 & 3

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

Heard learned counsel for the petitioner, who claims himself to be qualified in the practice of Acupuncture. The prayer made in this petition is that this Court may issue a writ of mandamus or any other appropriate writ directing the first and second respondents to consider the representation of the petitioner for giving acupuncture treatment to COVID-19 (Corona) patients.

2.Having considered the same, we find that this is a field of medical expertise and therefore, a judicial review for administering a particular form of treatment, which may or may not be certified at present by any norm to be an assured form of medical treatment, cannot be a matter of mandamus for this Court. It is open to the petitioner to pursue his representation. We see no reason to issue a mandamus in respect of such a prayer.

The Writ Petition is, accordingly, consigned to records. No costs.

Sd/-

Assistant Registrar (ADI-MDU)

//True Copy//

Sub Assistant Registrar

sra

To

- 1.The Secretary to Govt. of India,
Ministry of Health and Family Welfare,
Nirman Bhavan, New Delhi. 110 011.

2.The Secretary to Govt. of Tamilnadu,
Health and Family Welfare Dept.,
Secretariat, Chennai 600 009.

3.The Director of Public Health and
Preventive Medicine, Teynampet,
Chennai 600 006.

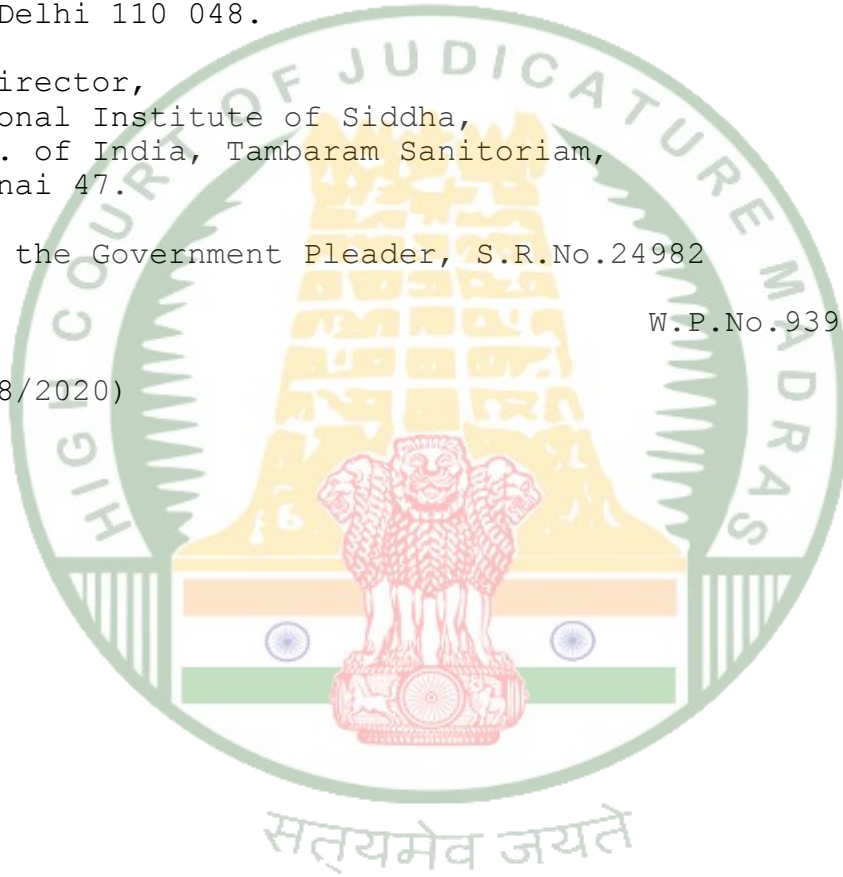
4.The President,
Indian Society of Medical Acupuncture,
Union Territory of Delhi,
N-9, Greater Kailash, Part-I,
New Delhi 110 048.

5.The Director,
National Institute of Siddha,
Govt. of India, Tambaram Sanitorium,
Chennai 47.

+1cc to the Government Pleader, S.R.No.24982

W.P.No.9391 of 2020

MG(CO)
CB(18/08/2020)



WEB COPY