



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **24.11.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **N. KIRUBAKARAN**

AND

THE HONOURABLE MR.JUSTICE **B. PUGALENDHI**

W.P.(MD)No.16604 of 2020

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U.Sakthivel

... Petitioner

versus

1. The Secretary,
Tamil Nadu Health & Family
Welfare Department,
Secretariat,
St. George Fort,
Chennai - 600 009.
2. The Director,
Tamil Nadu Medical & Rural
Health Service,
DMS Complex,
Anna Salai,
Thenampet,
Chennai - 600 006.
3. The Director,
Tamil Nadu Pollution Control Board,
No.76, Mount Road,
Guindy,
Chennai - 600 032.
4. The District Collector,
Thoothukudi District,
Thoothukudi.
5. The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
6. The Joint Director,
District Health Service,
Thoothukudi District,
Thoothukudi.
7. The Deputy Director,
Drugs Control Department,
Tirunelveli Zone,
No.C-36, 25 Cross Street,
Maharaja Nagar,
Tirunelveli District.



8. K.Seeniselvi

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of writ of Mandamus, to direct the respondent Nos.1 to 7 to take necessary steps to initiate necessary criminal action against the 8th respondent for giving false treatment to patients without possessing prescribed medical qualification and to take necessary steps to close down the "Annai Poly Clinic" run by the 8th respondent at Kovilpatti Main Road, Pasuvanthanai, Thoothukudi, in a permanent manner by considering the petitioner's representation dated 10.10.2020 within a stipulated time in accordance with law.

For Petitioner : Mr.C.Sarath Kumar

For Respondents : Mr.M.Muthugeethaiyan,
Special Government Pleader for R1 to R7

ORDER

[Order of the Court was made by **N. KIRUBAKARAN, J.**]

This writ petition has been filed, seeking for the issuance of a writ of Mandamus, to direct the respondent Nos.1 to 7 to take necessary steps to initiate necessary criminal action against the 8th respondent for giving false treatment to patients, without possessing prescribed medical qualification and to take necessary steps to close down the "Annai Poly Clinic" run by the 8th respondent at Kovilpatti Main Road, Pasuvanthanai, Thoothukudi, in a permanent manner, by considering the petitioner's representation, dated 10.10.2020 within a stipulated time in accordance with law.

2. According to the petitioner, the 8th respondent, without having any qualification, has been giving treatment, by running a Clinic in the name of "Annai Poly Clinic".

3. Today, when the matter is called, Mr.M.Muthugeethaiyan, learned Special Government Pleader appearing for the respondent Nos.1 to 7, pointed out that based on a complaint given by the petitioner, the Clinic in question was visited by the officials on 29.09.2020, wherein, it was found that the 8th respondent is not having any licence under the Tamil Nadu Clinical Establishment (Regulations) Rules 2018 and therefore, the said Clinic was closed.

4. The said fact is also admitted by the petitioner in paragraph 8 of the affidavit.



5. When that is the position, the prayer sought for by the petitioner has also been complied with and no further orders are necessary in this writ petition. Therefore, this writ petition is dismissed. No costs.

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Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

To

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+1 CC to M/s.GP (SR-23023[F] dated 26/11/2020)

W.P.(MD)No.16604 of 2020
24.11.2020

KMV (CO)

KK(07.12.2020) 4P 9C