HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE FIFTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION NO: 18169 OF 2020

Between:

Samah Masroor, S/o Masroor Mabrook, Aged about 73 years, Occ. Business R/o H.No.18-8-646/A/3, Mohd Nagar, Talabkatta, Hyderabad, Telangana State

...PETITIONER

AND

1. The State of Telangana, Rep by its Principal Secretary, Home Department, Secretariat, Hyderabad, Telangana State
2. The Commissioner of Police, Basheerbagh, Hyderabad, Telangana State
3. The Deputy Commissioner of Police, South Zone, Telangana State
4. The Assistant Commissioner of Police, Santoshnagar, Hyderabad, Telangana State
5. The Station House Officer, Bhavaninagar Police Station, Bhavaninagar, Hyderabad, Telangana State

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue Writ, Order or Direction, or any other appropriate Order one in the nature of a WRIT OF MANDAMUS, declaring the action of the Respondents interfering into the Petitioner's Unani Medicine Clinic at H.No.18-8-646/A/3, Mohd Nagar, Talabkatta, Hyderabad, Telangana State and threatening to close down the Clinic and harassing the Petitioner without following due process of Law is illegal, arbitrary and violation of Wakf Act and also violation of articles 14, 21, 300-A of Constitution of India and consequently direct the Respondents not to interfere into the Unani Medicine Clinic of the Petitioner at H.No.18-8-646/A/3, Mohd Nagar, Talabkatta, Hyderabad, Telangana State, without following due process of Law

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondents not to interfere into the Unani Medicine Clinic of the Petitioner at H.No.18-8-646/A/3, Mohd Nagar, Talabkatta, Hyderabad, Telangana State, without following due process of Law

Counsel for the Petitioner: SRI M. A. K. MUKHEED

Counsel for Respondents: GP FOR HOME

The Court made the following: ORDER

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.18169 OF 2020

ORDER:

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Home.

2. Petitioner claims to be a Unani Doctor and carrying on practice in Unani Medicine. He also claims to be a spiritual leader. Petitioner claims to have a valid certificate to practice Unani medicine. He has opened a clinic and running his practice in the said clinic. Petitioner alleges that in the recent past police are harassing the petitioner on the false ground that petitioner is indulging in black magic and is frequently called to the police station. By such action of police, the life and liberty of petitioner and his right to carry on practice as medical practitioner is deprived and the same is illegal.

3. On written instructions furnished to learned Assistant Government Pleader he submits that no crime is registered against the petitioner and he is not required in any crime and that police are not interfering in Unani practice carried on by the petitioner.

4. With this assurance of learned Assistant Government Pleader, learned counsel for the petitioner is satisfied and seeks disposal of writ petition accordingly.

5. Writ Petition is accordingly disposed of. It is needless to observe that as long as petitioner has valid certificate, he is entitled to carry on his practice as Unani Doctor. Police shall not prevent him from undertaking such practice and shall not involve

in any civil disputes. Pending miscellaneous petitions shall stand closed.

SD/-N.CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Commissioner of Police, Basheerbagh, Hyderabad, Telangana State
2. The Deputy Commissioner of Police, South Zone, Telangana State
3. The Assistant Commissioner of Police, Santoshnagar, Hyderabad, Telangana State
4. The Station House Officer, Bhavaninagar Police Station, Bhavaninagar, Hyderabad, Telangana State
5. One CC to Sri M A K Mukheed Advocate [OPUC]
6. Two CCs to GP for Home, High Court for the State of Telangana (OUT)
7. Two CD Copies

MBC

HIGH COURT

DATED: 05/11/2020



ORDER

WP.No.18169 of 2020

DISPOSING OF THE WRIT PETITION

WITHOUT COSTS

AJM
11/11/2020