



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2021

C O R A M

THE HON'BLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.NO.4270 OF 2018

AND

W.M.P.NO.5261 OF 2018

K.Ashraf

... Petitioner

.Vs.

1. The Joint Director of Medical Service,
Health and Family Welfare Department,
Government Head Hospital,
Coimbatore,
Coimbatore District.

2. The Superintendent of Police,
Coimbatore Rural,
Coimbatore.

3. The Inspector of Police,
Anaimalai Police Station,
Anaimalai, Pollachi Taluk,
Coimbatore District.

... Respondents

PRAYER:-

Writ Petition filed under Section 226 of the Constitution of India, prayed for the issuance of Writ of Mandamus, forbearing the respondents from interfering with the petitioner's Ayurvedic Medicine Practice along with Advanced (Modern Allopathic) Medicine at Meenakshipuram, Pollachi Taluk, Coimbatore.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.K.M.D.Muhilan
Government Advocate



ORDER

This Writ Petition has been filed, for the issuance of Writ of Mandamus, forbearing the respondents from interfering with the petitioner's Ayurvedic Medicine Practice along with Advanced (Modern Allopathic) Medicine at Meenakshipuram, Pollachi Taluk, Coimbatore.

2. The learned counsel for the petitioner would submit that the petitioner is practicing as Doctor in Ayurvedha in Meenakshipuram, Pollachi Taluk, Coimbatore. He has obtained degree in B.A.M.S, five years course in Ayurvedha, and diploma in Advance (Modern Allopathic), therefore, he is authorised to practice as Doctor in Ayurvedic as well as Modern scientific system of medicines, however, he is practicing only in the Ayurvedic Medicine. While so, the respondents 2 and 3 are interfering with the business of the petitioner, i.e., Ayurvedic Medicine Practice along with Advanced (Modern Allopathic) Medicine. Therefore, the petitioner with no other option has filed this Writ Petition.

3. The learned Government Advocate appearing for the respondents, on instruction, would submit that the respondents 2 and 3 are not interfering with the petitioner's Ayurvedic Medicine Practice along with Advanced (Modern Allopathic) Medicine. However, if there is any complaint received against the petitioner, the respondents 2 and 3 will take legal action in accordance with law.

4. Recording the submission made by the learned Government Advocate appearing for the respondents, there shall be a direction to the respondents 2 and 3 not to interfere with the petitioner's Ayurvedic Medicine Practice along with Advanced (Modern Allopathic) Medicine, unless and otherwise any legal action is required against the petitioner in accordance with law, upon the receipt of any complaint.

5. With the above direction, this Writ Petition is disposed of. No costs. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rst



To

1. The Joint Director of Medical Service,
Health and Family Welfare Department,
Government Head Hospital,
Coimbatore,
Coimbatore District.
2. The Superintendent of Police,
Coimbatore Rural,
Coimbatore.
3. The Inspector of Police,
Anaimalai Police Station,
Anaimalai, Pollachi Taluk,
Coimbatore District.

+lcc to Mr.C.Prakasam, Advocate, S.R.No.61903
+lcc to the Government Pleader, S.R.No.62647

W.P.NO.4270 OF 2018 AND
W.M.P.NO.5261 OF 2018

GPL (CO)
PBS/09/12/2021