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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:06.09.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.No.18587 of 2021

Mohamed Iqbal

...Petitioner

vs

1. The Director
Directorate of Indian Medicine and
Homoeopathy PP Garden Arumpakkam
Chennai 600 106.
2. The Registrar,
Tamil Nadu Board of Indian Medicine
PP Garden Arumpakkam
Chennai 600106.

3. Azeem Basha

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st Respondent for restraining the 3rd respondent from cross practice of Allopathy by implementing the order dated 25.01.2021 in Na.Ka.No. 13/Tha. Na. E. Ma. Ka./2020 passed by the 2nd respondent, consequently directing the 1st respondent to consider the petitioners representation dated 12.07.2021 in accordance with law within the time stipulated by this Honourable Court.

For the Petitioner : Mr.M.Mohamed Ansar

For the Respondents : Mr.P.Muthukumar,
State Government Pleader,
for RR 1 and 2

* * * * *

ORDER

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

There does not appear to be much of public interest involved in the present matter and, it is more than likely that the petitioner has a personal axe to grind against the third



respondent which has culminated in the present petition being instituted.

2. The grievance of the petitioner is that the third respondent has practised Allopathy, though the third respondent does not possess any appropriate qualification in such regard. According to the petitioner, the third respondent has qualified to practice only Unani medicine and says that the petitioner's representation to the second respondent Registrar has not been dealt with.

3. The petitioner is permitted to carry a fresh, detailed representation pertaining to the conduct of the third respondent to the Joint Director, Department of health, whereupon such Joint Director will conduct an inquiry upon previous notice to the third respondent and take appropriate action as may be deemed necessary in accordance with law. It is made clear that the allegations levelled by the petitioner against the third respondent have not been gone into.

4. Since the order does not prejudice the third respondent in any manner and requires the third respondent to be issued notice before any inquiry is conducted on the petitioner's representation, no previous notice has been issued to the third respondent herein.

W.P.No.18587 of 2021 is disposed of without any order as to costs. It is hoped that the petitioner's representation is dealt with by a speaking order to be forwarded both to the petitioner and the third respondent by the concerned Joint Director within ten weeks of the receipt of the representation.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

sra

To:

1. The Director
Directorate of Indian Medicine and
Homoeopathy PP Garden Arumpakkam
Chennai 600 106.



2. The Registrar,
Tamil Nadu Board of Indian Medicine
PP Garden Arumpakkam
Chennai 600106.

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+1CC to Government Pleader, Sr.No.44909

W.P.No.18587 of 2021

RLD (CO)
K.RK. (13.09.2021)