



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction**

Tuesday, the Seventeenth day of August Two Thousand Twenty One

PRESENT

WEB COPY

The Hon`ble Mr.Justice SENTHILKUMAR RAMAMOORTHY

WMP (MD) . No.9279 of 2021

in

WP (MD) .NO.22808 of 2017

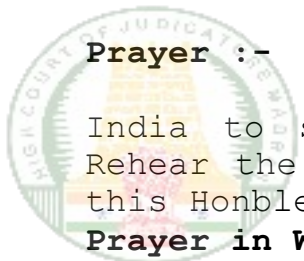
Indian Natural Therapy Council (Intc)
Rep. by its Chairman
Dr.S.Venkatachalam
29/9A Old Trunk Road(Near DSP Office)
Sattur-626203
Virudhunagar District

... Petitioner/Petitioner

Vs

- 1 The Secretary,
Dept. of Health and Family Welfare
Secretariat St. George Fort
Chennai-9
- 2 The Director
Directorate of Indian Medicine and
Homeopathy (Ayush),
Arumbakkam, Chennai-106
- 3 The Registrar
Tamil Nadu Siddha Medical Council
Arumbakkam, Chennai-106
- 4 The Director General of Police, Chennai-106
- 5 Union of India
Rep. by Secretary Govt. of India
Ministry of Health and Family Welfare
Nirman Bhawan,
New Delhi
(Respondent 5 is Suo Motu
Impleaded Vide Court Order dated 21.02.2018in
WP.(MD).No.22808 of 2017)

... Respondents/Respondents



Prayer :-

This Petition filed under Article 226 of Constitution of India to set-aside the order dated 10.12.2020 and Restore and Rehear the Writ Petition in WP(MD) No.22808 of 2017 on the file of this Honble Court.

Prayer in WP(MD). 22808/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus directing the Respondents herein to consider the petitioners representation dated 05.12.2017, and pass appropriate orders directing the respondents 2 to 4 not to interfere with the practice of Alternative System of Medicine by the members of the petitioner association duly qualified by not entering and harassing the members of Petitioner Association with a view to stop their practice of the Alternative system of Medicine without following due process of law.

ORDER:- This Petition is coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Thiru.M.Sendhilkumar, Advocate for the Petitioner and this Court made the following order:

The petitioner seeks restoration of W.P(MD).No.22808 of 2017, which was dismissed for default on 10.12.2020.

2. Learned counsel for the petitioner states that the non-appearance was neither wilful nor wanton but on account of his chronic illness. He has also produced a copy of the discharge summary from the Meenakshi Mission Hospital and Research Centre, Madurai.

3. In the above facts and circumstances, the petition for restoration is allowed by setting aside the dismissal for default by order dated 10.12.2020.

4. Accordingly, the Registry is directed to list W.P(MD). No.22808 of 2017 on 07.09.2021.

Sd/-

Assistant Registrar (CS II)

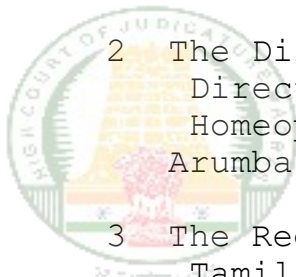
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/ /2021

Sub Assistant Registrar(CS)

TO

1. The Secretary,
Dept. of Health and Family Welfare
Secretariat St. George Fort



2 The Director
Directorate of Indian Medicine and
Homeopathy (Ayush),
Arumbakkam, Chennai-106

3 The Registrar
Tamil Nadu Siddha Medical Council
Arumbakkam, Chennai-106

4 The Director General of Police, Chennai-106

5 The Secretary,
Govt. of India
Ministry of Health and Family Welfare
Nirman Bhawan,
New Delhi

Copy to:

The Section Officer,
Writ (Posting) Section,
Madurai Bench of Madras High Court, Madurai

ORDER DATED : 17/08/2021

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ORDER
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WMP(MD) . No.9279 of 2021
in
WP.(MD) .No.22808 of 2017

Giving direction and etc.
as stated within.

MGJ(25.08.2021) 3P 7C