



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.A. [MD]No.826 of 2021

M.S.K.Thangavel @ K.Thangavelu : Appellant/writ Petitioner
Vs.

1.The Government of Tamil Nadu,
Rep. by its Principal Secretary,
Department of Health and Family Welfare,
Fort St. George,
Chennai - 5.

2.The Para Medical Council of India,
Ch.No.157/41, Near Laxmi Nagar,
Metro Station Gate No-1,
Vikas Marg,
Delhi - 110 092.

3.The Director of Medical and Rural Health Services,
DMS Complex, No.356-361,
Anna Salai,
Chennai - 600 006.

4.The Registrar,
The Tamil Nadu Medical Council,
914, Poonamalle High Road,
Arumbakkam,
Chennai.

5.The Joint Director of Medical and Rural Health Services,
(Competent Authority under TNCERA, 1977),
O/o. Joint Director of Medical and Rural Health Services,
Government Head Quarters Hospital,
Karur District.

:Respondents/Respondents

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent, to call for the records and set aside the order dated 20.01.2021, passed by the learned Judge in W.P.[MD]No.14625 of 2020 and allow the writ appeal.

Prayer in WP(MD) . 14625/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of certiorarified Mandamus to call for the records of the impugned order in Ref.No.407/TNCEA/2019 dt.3.9.2020 passed by the 5th



respondent and quash the same as illegal and consequently directing the 5th respondent to conduct inquiry and registered the petitioner Clinic Under Tamilnadu Private Clinical Establishment 1997

For Appellant : Mr.G.Kannan
For Respondents : Mr.K.P.Krishnadass
Special Government Pleader

WEB COPY

JUDGMENT

[Judgment of the Court was delivered by **T.S.SIVAGNANAM, J.**]

Heard Mr.G.Kannan, learned Counsel appearing for the appellant and Mr.K.P.Krishnadass, learned Special Government Pleader appearing for the respondent.

2.The appellant / writ petitioner filed the writ petition seeking for a direction to register his clinic under the Tamil Nadu Private Clinical Establishment Act, 1997.

3.The learned Single Bench has rightly dismissed the writ petition, taking note of the fact that from the so called Diploma obtained by the appellant / writ petitioner, he can never be construed as a medical practitioner. Therefore, we find no ground to interfere with the order passed by the learned Single Bench.

4.Accordingly, this Writ Appeal stands dismissed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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.SPL GP (SR-16328[F] dated 17/04/2021)

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ES(CO)
KB(27.05.2021) 3P 7C