



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2022

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THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.NOS.39413 TO 39415 OF 2015 AND
M.P.NOS.1 TO 1 OF 2015

R.Devaraj	... Petitioner in WP.No.39413/2015
J.S.Satyaraj	... Petitioner in WP.No.39414/2015
P.S.C.Jayakumar	... Petitioner in WP.No.39415/2015

Vs

1. The State of Tamil Nadu
Rep. By its Secretary to Government,
Home Department,
Fort St. George,
Chennai - 600 009.
2. The State of Tamil Nadu
Rep. By its Commissioner
and Secretary to Government
Health and Family Welfare Department,
Fort St. George, Chennai - 600 009.
3. The Director General of Police
Kamarajar Road, Chepauk,
Chennai - 600 005.
4. The Registrar,
Tamil Nadu Board of Indian Medicine
Arignar Anna Government Hospital of
Indian Medicine Campus,
Arumbakkam,
Chennai - 600 106.
5. The Sub-Inspector of Police
Appakudal Police Station
Kavunthuapadi Road,
Appakudal, Bhavani Taluk,
Erode District.

... Respondents
in WP.No.39413/2015



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The Sub-Inspector of Police,
Koovathur Police Station,
ECR Road,
Koovathur,
Kancheepuram District.

... 5th Respondent in WP.No.39414/2015

The Inspector of Police,
Singanallur Police Station
Coimbatore District,
Coimbatore.

... 5th Respondent in WP.No.39415/2015

PRAYER :

Petitions filed under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus forbearing the Director General of Police, Kamarajar Road, Chepauk, Chennai - 600 005, the 3rd respondent herein from initiating any police action by labeling the petitioner as unqualified as he is a Registered Indian Medical Practitioner and thus ensure the safety of his profession in the field of Indian System of Medicine in Ayurvedha.

In all WPs
For Petitioners : Mr.D.Ashok Kumar
For Respondents : Mrs.N.Senthil Selvi
Government Advocate

COMMON ORDER

The relief sought for in the present writ petitions is to forbear the 3rd respondent Director General of Police from initiating any police action by labeling the petitioners as unqualified, as they are the Registered Indian Medical Practitioners and ensure the safety of the profession in the field of Indian System of Medicine in Ayurvedha.

2. The petitioners state that they are registered Indian Medical Practitioners in the field of Ayurveda. As such, they are entitled to practice in the field of Indian System of Medicine. The All India Association of Private Medical Practitioners which is a registered Association also filed a writ petition and the said writ petition was not entertained by the High Court as the Association cannot maintain a writ petition. Thus, the petitioners state that they filed separate writ petitions in his individual capacity.



3. Counter affidavit filed by the 4th respondent / Registrar, Tamil Nadu Board of Indian Medicine reveals that the petitioners are not registered Medical Practitioners in the Tamil Nadu Board of Indian Medicine. The registration numbers quoted in the affidavits filed in support of the writ petitions are bogus one and the same were not issued by the Board and therefore, the petitioners are bogus doctors. Thus, they are not entitled to practice Indian System of Medicine. The counter affidavit further states that the petitioners are not the Registered Indian Medical Practitioners and therefore, the petitioners cannot practice Ayurveda. The action of the local police is just and correct and such actions are initiated to protect the innocent public from the clutches of these quacks. When the counter affidavit filed by the Tamil Nadu Board of Indian Medicine categorically states that the petitioners are bogus doctors and they are quoted bogus registration numbers even in the affidavits filed in support of the writ petitions, this Court is of an opinion that serious actions are required. The question of considering the other allegations set out in the writ petitions do not arise at all as the respondents clarified that the petitioners are not registered practitioners and the registration numbers given in the affidavits are also bogus. This being the factum. The respondents are directed to initiate all further actions by following the procedures as contemplated in law. In respect of the allegations of quoting wrong registration numbers in the affidavits filed in support of the writ petitions, the Police authorities are empowered to initiate further action in the manner known to law and the bogus doctors at no circumstances be allowed to practice Medicine either Ayurveda or Indian Medicine and effective steps are to be taken to prevent all such bogus doctors who are all practicing by quoting bogus/ wrong registration number or otherwise.

4. With these observations, these Writ Petitions stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Sgl



To

1. Secretary to Government,
The State of Tamil Nadu
Home Department,
Fort St. George,
Chennai - 600 009.
2. The Commissioner and
Secretary to Government
State of Tamil Nadu
Health and Family Welfare Department,
Fort St. George, Chennai - 600 009.
3. The Director General of Police
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4. The Registrar,
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Arignar Anna Government Hospital of
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5. The Sub-Inspector of Police
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Kavunthuapadi Road,
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6. The Sub-Inspector of Police,
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Kancheepuram District.
7. The Inspector of Police,
Singanallur Police Station
Coimbatore District,
Coimbatore.

+1cc to the Government Pleader, S.R.No.5624

W.P.Nos.39413 to 39415 of 2015

PCH(CO)
PM/11/02/2022