



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.03.2022

CORAM

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P.No.40865 of 2016

and

WMP Nos.34870 & 34871 of 2016

Dr. K. Samikannu,  
Indira Homoeo clinic,  
near bus stand,  
Kallavi,  
Uthangarai Taluk,  
Krishnagiri District 635 304

...Petitioner

Vs.

- 1.The Secretary,  
Department of Ayush,  
Ministry of Health and Family Welfare,  
Government of India,  
India Red cross Building,  
Red Cross Road,  
New Delhi 110 001.
- 2.The State of Tamil Nadu,  
rep. by its Secretary to Government,  
Health & Family Welfare Department,  
Secretariat, Chennai 9
- 3.The Registrar,  
Tamil Nadu Homoeopathy Medical Council,  
Chennai 106
4. Tamil Nadu Drug Control Officer,  
258/261, Anna Salai,  
Teynampet, Chennai 600 006.
- 5.The President,  
Tamil Nadu Homoeopathy Medical Council,  
Chennai 106.
- 6.The Director General of Police,  
O/o. The Directorate General of Police Office,  
Santhome, Chennai 4.



7.The District Collector,  
O/o. The District Collectorate Office,  
Krishnagiri District.  
Krishnagiri.

8.The Joint Director of Health Service,  
Krishnagiri District.

9.The Superintendent of Police,  
O/o. The Superintendent of Police,  
Krishnagiri District,  
Krishnagiri.

10.The Inspector of Police,  
Kallavi Police Station,  
Kallavi, Uthankarai Taluk,  
Krishnagiri District.

11.The Village Administrative Officer,  
Kallavi Village,  
Uthankarai Taluk,  
Krishnagiri District 635 304

...Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus to forbear the respondents 7 to 11 from interfering the professional practice of the petitioner and from taking action on the pretext of Anti-Quackery action against the petitioner in conformity with the Government Letter issued by the first respondent in his proceedings letter No.22715/IM-II-2/2010 dated 15.06.2010.

|                 |   |                                                     |
|-----------------|---|-----------------------------------------------------|
| For Petitioner  | : | Mr. K. Kannan                                       |
| For Respondents | : | Mr. N. Ramesh,<br>SCGSC, for R1                     |
|                 | : | Mr.S. Ravikumar,<br>Spl. G.P.,<br>for R2, R6 to R10 |
|                 | : | Mr. Saravanavel,<br>for R3 & R5                     |
|                 | : | R4- No Appearance                                   |

#### O R D E R

This writ petition has been filed to restrain the respondents 7 to 11 from interfering with the professional practice of the petitioner.

2. The learned counsel for the petitioner submitted that at the time of inspection, the 7th respondent/District Collector has taken all the petitioner's certificates and he will be



satisfied if his certificates are returned to him and he is not pressing the other reliefs sought for in the writ petition.

3. The learned counsel appearing for the respondents 6 to 10 submitted that the certificates are still with the 8th respondent and the 8th respondent will hand over the certificates to the petitioner.

4. Considering the said submissions, the 8th respondent is directed to handover the certificates, which were seized from the petitioner. Further, it is always open to the respondents to take action against the petitioner, if he violates any of the regulations or indulge in prescribing allopathy medicine.

5. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

-s/d-  
Assistant Registrar

//True Copy//

Sub-Assistant Registrar

mrp

To

- 1.The Secretary,  
Department of Ayush,  
Ministry of Health and Family Welfare,  
Government of India,  
India Red cross Building,  
Red Cross Road,  
New Delhi 110 001.
- 2.The Secretary to Government,  
The State of Tamil Nadu,  
Health & Family Welfare Department,  
Secretariat,  
Chennai 9
- 3.The Registrar,  
Tamil Nadu Homoeopathy Medical Council,  
Chennai 106
- 4.Tamil Nadu Drug Control Officer,  
258/261, Anna Salai,  
Teynampet,  
Chennai 600 006.



5.The President,  
Tamil Nadu Homoeopathy Medical Council,  
Chennai 106.

6.The Director General of Police,  
O/o. The Directorate General of Police Office,  
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7.The District Collector,  
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Kallavi Village,  
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Krishnagiri District 635 304

+1cc to Mr.J.Saravanavel, Advocate, S.R.No.21428

+1cc to Mr.N.Ramesh, Advocate, S.R.No.21834

+1cc to the Government Pleader, S.R.No.22242

W.P.No.40865 of 2016

GMR(CO)  
RN(23/05/2022)