



W.P.No.23374 of 2006

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

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

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Central Council of Indian Medicine
through its Secretary,
4th floor, Jawahar Lal Nehru Bhartiya
Chikitsa Avam Homoeopathy
Anusandhan Bhawan,
Institutional Area, Opp. 'D' Block,
Janakpuri,
New Delhi-110 058.

.. Petitioner

Vs

1.The State of Tamilnadu,
rep. by Secretary to Government,
Health & Family Welfare Department,
Fort St. George, Chennai-600 009.

2.The Registrar,
Tamilnadu Siddha Medical Council,
Arignar Anna Government
Hospital of Indian Medicine Campus,
Arumbakkam, Chennai-600 106.



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3.The Commissioner and Director of
Indian Medicine & Homeopathy,
Arignar Anna Government
Hospital of Indian Medicine Campus,
Arumbakkam, Chennai-600 106.

4.The Tamilnadu Dr. M.G.R. Medical University,
P.B.No.1200
No.69, Anna Salai,
Guindy, Chennai-600 032.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of declaration declaring that Sections 2(15), 3(1,2 and 4), 13(1) (a&b), 13(1)(g&p), 18(1)(a&b), 19(1), 26(1), 27(1), 34 and 36(2) of the Tamil Nadu Siddha Sytem of Medicine (Development and Registration of Practitioners) Act, 1997 and its schedule as contradictory and violative of the provisions of IMCC Act, 1970 and IMCC (Amendment) Act, 2003 and as such they are unenforceable by the respondents in any manner.

For the Petitioner : No appearance

For the Respondents : Mr.U.Bharanidharan
Addl. Government Pleader
for respondents 1 to 3

: No appearance
for respondent No.4

ORDER

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

The present writ petition is filed for declaration that the provisions of the Tamilnadu Siddha System of Medicine



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(Development and Registration of Practitioners) Act, 1997 and its schedule as contradictory and violative of the provisions of the IMCC Act, 1970 and IMCC (Amendment) Act, 2003.

2. It is submitted by learned Additional Government Pleader that now the Act of 1997 does not survive and it is replaced by the National Commission for Indian System of Medicine Act, 2020 and the same is being followed and not the State Act.

3. In the light of the said statement, no further orders are necessary in the present writ petition, nor the relief claimed by the petitioner survives.

4. The writ petition, accordingly, stands disposed of. No costs.

(S.V.G., CJ.)

(P.D.A., J.)

28.06.2023

Index : Yes/No
Neutral Citation : Yes/No
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To

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- 1.The Secretary to Government,
State of Tamilnadu,
Health & Family Welfare Department,
Fort St. George, Chennai-600 009.
- 2.The Registrar,
Tamilnadu Siddha Medial Council
Arignar Anna Government
Hospital of Indian Medicine Campus,
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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKEVALU, J.

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