



W.P.No.4274 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2023

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.4274 of 2019

Dr.A.Jalaludeen

... Petitioner

Vs.

1.The Registrar,
Tamil Nadu Board of Indian Medicine,
Arignar Anna Government Hospital of Indian
Medicine Campus, Arumbakkam,
Chennai – 600 106.

2.The Registrar,
The Central Council of Indian Medicine,
New Delhi.

3.The Director of General of Police,
Kamaraj Salai,
Chepauk,
Chennai – 600 005.

4.The Inspector of Police,
B-3 Kattur Police Station,
Coimbatore,
Coimbatore District.

5.The Registrar,
State Council of Unani Medicine West Bengal,
No.63, APC Road,
Kolkatta – 700 009.

... Respondents



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Prayer:

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Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records order in vide O.Mu.Letter No.40-3/TNIMC/2018 dated 30.01.2019, on the file of the first respondent and to quash the same and consequently direct to the respondents to include the petitioner s name in the Tamil Nadu Indian Medical Council as Unani Doctor.

For Petitioner : Dr.G.Krishnamoorthy
for M/s.S.L.Venkatesan

For Respondents : Mr.K.M.D.Muhilan for R1 to R4
Additional Government Pleader
M/s.K.M.Malar Mannan for R5

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus to call for the records order in vide O.Mu.Letter No.40-3/TNIMC/2018 dated 30.01.2019, on the file of the first respondent and to quash the same and consequently direct to the respondents to include the petitioner s name in the Tamil Nadu Indian Medical Council as Unani Doctor.

2.The case of the petitioner is that the petitioner made



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representation to the first respondent seeking to include his name as Unani Doctor under the first respondent Council, however, the same was rejected. Hence, this writ petition.

3.The learned counsel appearing for the petitioner submitted that the petitioner is a hereditary Unani Physician and his practice has been approved by the fifth respondent/ State Council of Unani Medicine West Bengal. Hence, the petitioner is entitled to practice as Unani Physician in Tamil Nadu also.

4.The learned Additional Government Pleader appearing for the respondents 1 to 4 submitted that unless the medical practice is approved by Medical Council of India or any other Central Government, the petitioner's name could not be included under the first respondent's Council since it involves other people's life.

5.The petitioner claims that he is a hereditary Unani Physician and his practice has been approved by the fifth respondent/ State Council of Unani Medicine West Bengal and hence he made representation to the first respondent seeking to include his name as Unani Doctor under the first respondent Council, however, the same



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was rejected on the ground that his medical practice was not approved by Medical Council of India or any other Central Government. Unless his medical practice is approved by Medical Council of India or any other competent authority, the petitioner cannot practice in Tamil Nadu. Hence, this Court is not inclined to grant the relief sought for in this writ petition.

6.The writ petition is accordingly dismissed. No costs.

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Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No



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