



WEB COPY

1 of 4



[IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.21406 of 2023

Saravanan

Petitioner

vs.

1.The Inspector of Police,
Kambainallur Police Station,
Dharmapuri District.

2.The Chief Medical Officer,
Harur Medical Officer,
Harur Taluk, Dharmapuri District.

3.The Tahsildar,
Karimangalam Taluk,
Dharmapuri District.

Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of mandamus, directing the respondents 1 and 3 herein to de seal the premises bearing D.No.33, Bazaar Street, Kambainallur Town, Karimangalam Taluk, Dharmapuri District based on the petitioner;s representation dated 05.06.2023.

For Petitioner : Mr.C.Prabakaran
For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This writ petition has been filed for a direction to the respondent police to de-seal the subject premises based on the representation made by the petitioner on 05.06.2023.



2.The 1st respondent registered an FIR in Crime No.87 of 2023 for offence under Section 420 of IPC read with Section 15(3) of the Indian Medical Council Act, 1956 and Section 34(2) of the National Medical Commission Act.

3.The case of the prosecution is that the petitioner was giving allopathy treatment to the patients without possessing the minimum qualification and without obtaining any permission. The petitioner was found to have some medical equipments which was used for the purpose of giving treatment to the patients. The petitioner was arrested in the course of investigation and later was enlarged on bail by this Court.

4.The grievance of the petitioner is that the respondent police during the course of the investigation had sealed the subject premises. The petitioner made a representation for de-sealing the premises and since the same was not considered, the present writ petition has been filed before this Court.

5.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor.

6.The learned Additional Public Prosecutor on instructions submitted that all the medical equipments that were found inside the property has been seized by the respondent police and the subject property is now an empty building which has been



WEB COPY

7.The learned counsel for the petitioner submitted that the petitioner will give a written undertaking before the respondent police to the effect that he will not indulge in treating any patients in the subject property.

8.In view of the above, there shall be a direction to the 1st respondent to de-seal the subject premises immediately. Before de-sealing the property, a written undertaking shall be received from the petitioner to the effect that the petitioner will not use the property for treating the patients.

9.This writ petition is disposed of accordingly. No Costs.

20.07.2023

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

To

1.The Inspector of Police,
Kambainallur Police Station,
Dharmapuri District.



WEB COPY

4 of 4



N. ANAND VENKATESH,. J.

SSR

2.The Chief Medical Officer,
Harur Medical Officer,
Harur Taluk,
Dharmapuri District.

3.The Tahsildar,
Karimangalam Taluk,
Dharmapuri District.

4.The Public Prosecutor,
High Court of Madras,
Madras.

W.P No.21406 of 2023

20.07.2023