



W.P(MD)No.19653 of 2016

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.19653 of 2016 and
WMP(MD) No.14165 of 2016

Annai Nivetha Electropathy,
Rep by its Chairman,
KMH.Habeeb Najjar

... Petitioner

Vs

- 1.The District Collector,
Sivagangai District,
Sivaganai.
- 2.The Deputy Director,
Health Department,
Sivagangai.
- 3.The Superintendent of Police,
Sivagangai District,
Sivagangai.
- 4.The Inspector of Police,
Sivagangai Police Station,
Sivagangai.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing



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the first and second respondents to consider the petitioner's representation, dated 14.05.2016 and direct the respondents 3 & 4 not to interfere with the administration of the petitioner's college.

For Petitioner : Mr.T.Selvakumaran
For R1 & R2 : Mr.G.V.Vairam Santhosh
Additional Government Pleader
For R3 & R4 : Mr.B.Thanga Aravindh
Government Advocate

ORDER

Annai Nivetha Electropathy, represented by its Chairman, namely, KMH Habeeb Najjar has filed this writ petition in the year 2016 for a Mandamus, directing the first and second respondents to consider the petitioner's representation, dated 14.05.2016 and directing the third and fourth respondents not to interfere with the administration of the petitioner's college.

2.The petitioner claims that he is running a College in the name of Annai Nivetha Electropathy Medical College and Hospital at Sivagangai from the year 2004. The Electropathy is a new branch of medicine system in India, wherein, medicines are



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purely herbal oriented, nontoxic, non-alcoholic, harmless. However, the third and fourth respondents have interfered with the management of the College and threatened the petitioner to close down the College. Therefore, the petitioner has filed this writ petition for taking appropriate action as against the respondents 3 and 4.

3. When this writ petition is taken up for hearing, the learned counsel appearing for the petitioner submits that he is not having any instructions as on date.

4. The learned Government Advocate submits that the petitioner was running a college in the name of Annai Nivetha Electropathy Medical College and Hospital without any valid permission obtained from the competent authorities. Based on the complaint given by one of the students, namely, Mariammal, D/o, Marimuthu, a case in Crime No.148 of 2015 was registered as against him for the offences punishable under sections 354(A),



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4,3(1)(w)(i) IPC, 4 of TNPWH Act r/w 3(1) (w)(i) of SC/ST (POA) Ordinance Amendment Act, 2014 and final report was filed and the same is pending before PCR Court, Sivagangai in Special SC No,45 of 2018. It is also reported that the said college is not in existence as on date.

5.This Court considered the rival submissions made and also perused the materials placed on record.

6.The petitioner with a grievance that the third and fourth respondents have interfered with the management of the College has filed this writ petition in the year 2016. The petitioner said to be the chairman of Annai Nivetha Electropathy Medical College and Hospital, Sivagangai. The respondents claims that the petitioner was running this college without any valid permission. Moreover, it appears that based on the complaint lodged by one of a student of the said college, a criminal case was registered as against the petitioner and it is pending in Spl.SC No.45 of 2018.



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7.In view of the above, this Court is not inclined to entertain this writ petition. Accordingly, this writ petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

13.12.2023

NCC : Yes/No

Index :Yes/No

Internet :Yes

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B.PUGALENDHI, J.

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