

WP(MD)No.11463 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.11463 of 2024

K.Jayakumar

: Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep. by its Additional Chief Secretary to Government,
Health and Family Welfare Department,
Secretariat, Fort St.George,
Chennai – 600 009.
- 2.The Director General of Police,
Mylapore, Chennai – 600 004.
- 3.The District Collector,
Thanjavur District,
Thanjavur.
- 4.The Superintendent of Police,
Thanjavur District,
Thanjavur.
- 5.The Registrar,
Tamil University,
Thanjavur.

: Respondents

[R.5 suo-motu impleaded vide order dated 24.06.2024]



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the fourth respondent not to interfere with the running of Siddha Clinic by the petitioner at Kottara Street, Vallam, Thanjavur Taluk and District, practicing Siddha medicine without any deviation, in consideration of the petitioner's representation dated 19.01.2024, within a stipulated time frame.

For Petitioner : Mr.A.Arun Prasad

For Respondents: Mr.P.Kottai Chamy,
Government Advocate (Crl. Side)
for R.1 to R.4

Mr.C.Arul Vadivel @ Sekar
Senior Counsel
for Mr.K.Sachin Rahul
for R.5

ORDER

This Court, while dismissing this writ petition, by order dated 24.06.2024, has held as follows:-

“14.Initially, the case against the petitioner was that he was practicing Allopathy medicines without proper qualification. The

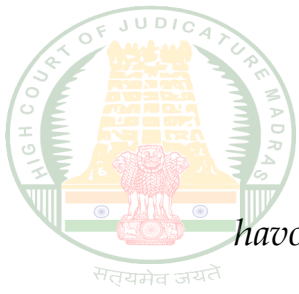


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petitioner, on the other hand, disputed the same and claimed that he is practicing Siddha Medicine only and that he is duly qualified to do so, based on the certificate obtained in Diploma in Siddha Medicine course from the Tamil University, Thanjavur. From the report of the fifth respondent, it is clear that the petitioner is making a claim based on a forged certificate. Even if the certificate is legitimate, the petitioner cannot still practice Siddha Medicine, as it is not for practicing.

15. Therefore, this Court is not inclined to grant any relief to the petitioner in this writ petition. The Inspector of Police, Vallam Police Station, shall proceed further with the investigation in Crime No.148 of 2023 and take appropriate action, in accordance with law.

16. From the report of the fifth respondent, it appears that 576 students have received the Diploma Course certificates from the Tamil University, during the Academic Year 2007-08. Though the certificates are said to have been issued with an endorsement 'not for practice' and an undertaking was also obtained by the University, in reality, it is not known as to how far it is being followed by the respective certificate holders. The fact remains that these Certificates were issued that the candidate was admitted in Diploma in Siddha Medicine and was qualified with I / II Class. If any of these students are practicing Siddha with these Certificates, it would definitely play



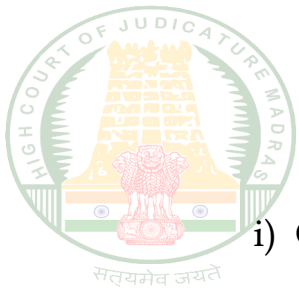
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havoc on the society. Already we are witnessing several cases regarding quacks. Therefore, the respondents 1 & 2, in co-ordination with the fifth respondent / Tamil University, shall ensure that nobody is practicing Siddha Medicine, throughout the State, using the Diploma in Siddha Medicine certificate issued by the fifth respondent University.

With the above observations and directions, this writ petition stands dismissed. No costs.

*For reporting compliance, post on **27.01.2025.***

2.The matter is now listed for compliance and the learned Government Advocate (Crl. Side) has filed the complaine report of the Assistant Inspector General of Police. According to the learned Government Advocate, the particulars of all the 576 candidates who had received Diploma Certificate from Thanjavur Tamil University during the year 2007-2008 were individually verified by the police and they found that a total of 4 persons, apart from this writ petitioner, were practicing Siddha Medicine. Criminal cases have also been registered as against those persons. The details are as follows:-



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i) Cr.No.40/2025 on the file of Thellar PS, Tiruvannamalai, has been registered u/s.318(2) r/w 15(3) IMC Act, as against one Sekar;

ii) Cr.No.275/2025 on the file of Gingee PS, Villupuram, has been registered u/s.318(2), 318(4) BNS & 34(2) of the National Medical Commission Act, as against one Seetharaman;

iii) Cr.No.276/2025 on the file of Gingee PS, Villupuram, has been registered u/s.318(2), 318(4) BNS & 34(2) of the National Medical Commission Act, as against one Amutha; and

iv) Cr.No.71/2025 on the file of Nallanpillaipetraal PS, Villupuram, has been registered u/s.318(2), 318(4) BNS & 34(2) of the National Medical Commission Act, as against one Kathirvelu.

3.The compliance shown by the authorities is recorded. Had this not been done and had these individuals were allowed to practice Siddha, it is not known what would have happened to the Society.

4.The unchecked practice of fraudulent practitioners poses a grave and immediate threat to Society. When unqualified individuals, with no



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formal knowledge or registration, falsely claim to be Siddha physicians, they not only misled patients, but also put lives at serious risk. Such impostors often administer unsafe or untested substances resulting in deterioration of health, permanent injury, and the loss of life. It also leads to exploitation of the vulnerable sections of Society, particularly the poor and the illiterate, who are lured by promises of cheap or “miracle” cures, only to be left financially drained and medically neglected.

5.The law governing the practice of Siddha medicine is neither vague nor permissive. Statutory provisions require that only those with recognized qualifications and valid registration may lawfully practice. This safeguard exists to ensure that the public is treated only by those with necessary knowledge and training. To permit fraudulent practitioners to operate outside this framework would defeat the very object of regulation, and would amount to compromising the constitutional guarantee of health and safety under Article 21 of the Constitution.



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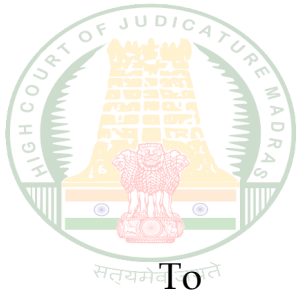
6.It must therefore be emphasized that quackery in the guise of Siddha medicine is not merely an individual act of deception, but a public wrong of the highest order. It endangers human life, disrupts the integrity of the healthcare system, and tarnishes a respected indigenous tradition. Such conduct must be met with strict prohibition and stern enforcement, for what is at stake is not only the health of citizens but also the preservation of public faith in systems of medicine.

7.This Court expects that the criminal case registered as against the petitioner and also as against the four other persons reaches its logical conclusion.

Internet : Yes
Index : Yes / No
NCC : Yes / No

29.08.2025

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To
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- 1.The Additional Chief Secretary to Government,
State of Tamil Nadu,
Health and Family Welfare Department,
Secretariat,
Fort St.George,
Chennai – 600 009.
- 2.The Director General of Police,
Mylapore,
Chennai – 600 004.
- 3.The District Collector,
Thanjavur District,
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B.PUGALENDHI, J.

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