



W.P.No.4466 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.4466 of 2023
and W.M.P.No.4488 of 2023

Bharath Seva Alternative Research Council
Rep by its Founder Trustee and Authorised
Signatory D. Sekar
No.12A, Villa Vinayagar Kovil Street,
Vandipalayam,
Cuddaore – 607 004.

... Petitioner

-Vs-

1. The Secretary
Ministry of Health and Family Welfare,
State of Tamilnadu,
Fort St. George,
Chennai.

2. The Director General of Police,
State of Tamilnadu,
Mylapore,
Chennai – 600 004.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing respondents 1 & 2 to issue fresh directions and to sensitize and advice their sub-ordinates, agents and employees not to interfere or harass the Indian Medical Practitioners, insofar as the members of the petitioner Trust is concerned.



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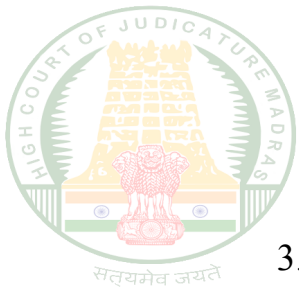
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For Petitioner : Mr.N.R.Rajagopalan
For Respondents
For R1 : Mr.P.Balathandayutham
Special Government Pleader
For R2 : Mr.K.M.D.Muhilan
Government Advocate (Crl. Side)

ORDER

This Writ Petition has been filed for direction directing respondents 1 & 2 to issue fresh directions and to sensitize and advice their sub-ordinates, agents and employees not to interfere or harass the Indian Medical Practitioners, insofar as the members of the petitioner Trust is concerned.

2. It is the case of the petitioner is that the members of the petitioner are the practitioners of alternative medicines like Siddha, Ayurveda, Unani, Homeopathy and other Indian traditional medicine such as naturopathy and yoga. However, the respondents are labeling the members of the petitioner as unqualified and they are threatening legal action, thereby affecting the rights of the petitioner's member to do their profession in their fields. In the affidavit filed in support of the writ petition, the petitioner has stated that they will not go to the extent of causing harm to the life of their customers.



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3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

4. In the light of the said assurance given in the affidavit filed in support of the writ petition, the respondents are directed to permit the petitioner's members to practice in their field alone. So long as the petitioner's members are practicing in their mode of medicine, the respondents and their police officials are restrained from initiating any action against them. However, it is open to the respondents or their officials to verify and find out whether, the petitioner's members are practicing in other fields, it is open to the police officials to initiate action against the petitioner's members in accordance with law.

5. With the above directions, the Writ Petition stands disposed of. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

10.02.2025

Index : Yes/No
Neutral Citation : Yes/No
Speaking/Non Speaking order
rts



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G.K.ILANTHIRAIYAN. J.

rts

To

1. The Secretary,
Ministry of Health and Family Welfare,
State of Tamilnadu,
Fort St. George,
Chennai.

2. The Director General of Police,
State of Tamilnadu,
Mylapore,
Chennai – 600 004.

3. The Public Prosecutor,
Madras High Court,
Chennai.

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