



W.P.No.39468 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2025

CORAM:

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

W.P.No.39468 of 2024

N.Purshothaman

...Petitioner

Versus

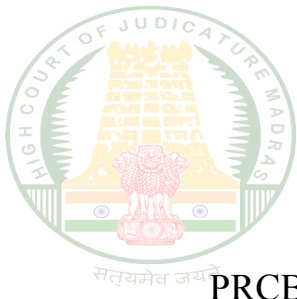
1.The Joint Director,
District Headquarters Government,
Hospital, Kancheepuram District,
Kancheepuram, Pin 631 501.

2.The Revenue Divisional Officer,
Kancheepuram Taluk,
Kancheepuram Distrit,
Kancheepuram Pin 631 501.

3.The Drug Inspector,
Sriperumpudur Zone,
Kancheepuram District,
Sriperumpudur, Pin 602 105.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus, forbear the respondents 1 to 3 from interfering with the petitioner's peaceful possession and enjoyment of the petitioner's service as Traditional Community Health care Provider vide Certificate No.QCI / PADD / VCS -TCHP /



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PRCBOO5 / TN219, VCSTCHP UID PRCB / 05 /QC1 /2021, in the stream of common ailments and consequently direct the respondents to open the petitioner's shop portion that had been sealed and thus permit the petitioner to do his service peacefully.

For Petitioner : Mr.N.Desinghu

For Respondents : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This Writ Petition has been filed forbearing the respondents 1 to 3 to interfere with the petitioner's peaceful possession and enjoyment of the petitioner's service as Traditional Community Health Care Provider vide Certificate No.QCI/PADD/VCS-TCHP/PrCB005/TN219, VCSTCHP UID : PrCB/05/QC1/2021, in the stream of common ailments.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner is a Pharmacist registered with the Tamil Nadu Pharmacy Council, Chennai. After obtaining the license, he has been running a medical shop in the name and style of “Bhavani Medicals”.



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While being so, an FIR has been registered as against the petitioner in Crime No.278 of 2022 on the file of the Inspector of Police, B6 Magaral Police Station, Kancheepuram, alleging that the petitioner is practicing Allopathy without any qualification and without registered with the Medical Council of India. Therefore, the premises where the petitioner was practicing were sealed. The petitioner now sought for a direction restraining the respondents 1 to 3 from interfering with the petitioner's peaceful possession and enjoyment of the service as a Traditional Community Health Care Providers.

4. In support of his contention, the petitioner produced a certificate issued under the Voluntary Certificate Scheme for Traditional Community Health Care Providers. However, the certificate was issued by a private agency and is neither authenticated nor recognized by the Government of India or the Government of Tamil Nadu. The petitioner also failed to produce any authentication to validate the said certificate. That apart, the said certificate pertains only to the Voluntary Certificate Scheme for Traditional Community Health Care Providers. The main



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allegation against the petitioner is that he is practicing Allopathy leading to the registration of a case as against him. As a result, the premises where the petitioner was practicing have been sealed by the investigating agency.

5. After the registration of the FIR, the matter is now pending investigation. Therefore, the petitioner cannot claim to be practicing traditional medical. Further, the certificate produced by the petitioner is invalid, as it is neither authenticated nor recognized by the Government of India or the Government of Tamil Nadu. Hence, the writ petition is devoid of merits and is liable to be dismissed.

6. Accordingly, this Writ Petition stands dismissed. No costs.

04.03.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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Sriperumpudur, Pin 602 105.
 - 4.The Public Prosecutor,
High Court of Madras,
Chennai



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G.K.ILANTHIRAIYAN, J.

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