



W.P. No.48264 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2025

CORAM:

THE HON'BLE MR. JUSTICE M. DHANDAPANI

W.P. No.48264 of 2025

and

WMP.Nos. 53937 of 2025

Mr.J.Dakshinamoorthi
S/o.Jagadesan

...

Petitioner

1. The Joint Director
Indian Medicine and Homeopathy
Commissionerate, Arumbakkam,
Chennai-106.

2. The District Collector,
Mayladuthurai.

...

Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorarified Mandamus to call for records in proceedings in Na.Ka.No.3633/K4/2025 dated 08.05.2025, on the file of the 1st respondent and quash the same as illegal, incompetent and without jurisdiction and further direct the 1st respondent to sanction and disburse the pension to which the petitioner is entitled to.



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For Petitioner:

Ms.R.Poornima

For Respondents:

Mr.K.Tippusulthan
Government Advocate

ORDER

This Writ Petition has been filed challenging the proceedings in Na.Ka.No.3633/K4/2025 dated 08.05.2025, on the file of the 1st Respondent and to quash the same as illegal, incompetent and without jurisdiction and further direct the 1st respondent to sanction and disburse the pension to which the petitioner is entitled to.

2. The case of the petitioner is that the petitioner is a 76 years old hereditary Siddha practitioner whose family has been practising Siddha medicine for generations, including his grandfather who served in the Thanjavur Palace. The petitioner completed the Legislative Indian Medicine Course, holds Certificate of Enlistment issued by the Tamil Nadu Board of Indian Medicine, and is registered with the Tamil Nadu Siddha Medical Council. It is further stated that due to old age, poor health and the absence of financial support from his sons, the petitioner applied for Hereditary Siddha Medical Practitioner Pension. Upon detailed enquiry, the Tahsildar and the Revenue Divisional



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Officer, Mayiladuthurai, recommended the petitioner's name for pension under G.O.Ms.No.352 dated 27.12.2011, which provides pension based on the economic status for hereditary practitioners. The District Collector also accepted the recommendation. The District Siddha Medical Officer, Nagapattinam verified all documents and forwarded the proposal to the 1st respondent. Despite the same, the 1st respondent arbitrarily rejected the petitioner's request vide impugned order dated 08.05.2025, citing that he holds only a Certificate of Enlistment. Challenging the said order, the present Writ Petition has been filed.

3. The learned counsel appearing for the petitioner would submit that the petitioner being a senior citizen is fully dependent on the pension for subsistence and the 1st respondent, ignoring the fact that hereditary practitioners are eligible under the Government Order in G.O.(MS)No.121, Indian Medicine and Homeopathy Department dated 14.09.1986, has rejected the request of the petitioner. He therefore prays to set aside the impugned order.

4. Per contra, the learned Government Advocate appearing for the respondents would submit that as per G.O.(Ms)No.121, Indian Medicine and Homeopathy Department, dated 14.09.1986, the beneficiaries of the scheme should be "B" or "C" class registered Hereditary Siddha Medical Practitioner



and the person with Certificate of Enlistment is not eligible for old age pension.

Since the petitioner's name was enlisted only as per G.O.1172, Health dated 02.09.1993 for practising Siddha Medicine and since he has not possessed "B" class Certificate, the request of the petitioner was rejected. He therefore prays for dismissal of this Writ Petition.

5. Heard both sides. Perused the records.

6. Admittedly, there is no dispute with regard to the fact that the petitioner is a Hereditary Siddha Medical Practitioner. The petitioner's application for Hereditary Siddha Medical Practitioner Pension, was rejected on the ground that he has not possessed the "B" class Certificate. As per G.O.(Ms) No.121, Indian Medicine and Homeopathy Department, dated 14.09.1986, registered hereditary Siddha Medical Practitioners who attained the age of 60 years and above are eligible for old age pension, subject to following conditions:

- "a. The beneficiaries of the Scheme should be "B" or "C" class Registered Hereditary Siddha Medical Practitioner.
- b.They are incapacitated to work or to earn.
- c.The annual income should be less than Rs.3600/-"

7.However, a perusal of the records shows that the petitioner's name was registered in the Tamil Nadu Siddha Medical Council vide



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Registration No.1529 and the Date of Registration is 29.11.1994.

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8. In such view of the matter, this Court is of the view that the petitioner has satisfied the basic requirement of G.O.(Ms) No.121, Indian Medicine and Homeopathy Department, dated 14.09.1986 and therefore the impugned order is liable to be set aside.

9. Accordingly, the order dated 08.05.2025, passed by the 1st respondent is set aside. The 1st respondent is directed to extend the benefit of old age pension to the petitioner, within a period of *four weeks* from the date of receipt of a copy of this order.

10. In the result, the Writ Petition is allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

18-12-2025

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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To

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M. DHANDAPANI, J.

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