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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.12.2025**

CORAM:

THE HONOURABLE **DR.JUSTICE G. JAYACHANDRAN**
AND
THE HONOURABLE **MR.JUSTICE K.K. RAMAKRISHNAN**

W.P.(MD)No.35997 of 2025
and
W.M.P.(MD)Nos.28590 and 28591 of 2025

G.P.Hahnemann

... Petitioner

Vs.

1.Health Secretary,
Health and Family Welfare Department,
4th Floor, Namakkal Kannagar Maaligai,
St.George Fort,
Chennai-600 009.

2.The Registrar,
Tamil Nadu Homeopathy Medical Council,
Aringar Anna Hospital,
Arumbakkam,
Chennai-600 106.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records vide notification dated 23.09.2025 published by the second respondent to implement Regulation 9 of the National Commission for Homeopathy (Manner of Preparation and Maintainability of National Register for Practitioner of Homeopathy) Regulation 2022 and quash the same as ultravires and consequently restraining the respondents in any way



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implementing the impugned notification till proper elected body assumes office to Tamil Nadu Homeopathy Medical Council.

For Petitioner : Mr.S.Mahesh Babu
For Respondents : Mr.S.P.Maharajan (R1)
Special Government Pleader
Mr.V.Karthikeyan (R2)
Standing Counsel

ORDER

(Order of the Court was made by **DR.G.JAYACHANDRAN, J.**)

The petitioner herein claiming himself as a registered Homeopathy Medical Practitioner by profession and one of the member of the Tamil Nadu Homeopathy Medical Council for the period from 2010 to 2015, is before this Court challenging the notification issued by the Tamil Nadu Homeopathy Medical Council calling for applications from the practitioners to renew their registration certificates prior to the expiry of five years from the date of issue to avoid penalty and cancellation of registrations.

2.The learned counsel appearing for the petitioner submits that the above notification dated 23.09.2025 widely published in the news papers, indicates that this notification is issued pursuant to the decision of the Executive Committee and Tamil Nadu Medical Council.



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3. According to the learned counsel for the petitioner on 18.03.2025, on the alleged date of decision by the Executive committee, there was no proper Executive Committee as per the statute for the Tamil Nadu Medical Council. The only nominated members were present and had taken the decision to implement Regulation No.9 of the National Commission for Homeopathy (Manner of Preparation and Maintainability of National Register for Practitioner of Homeopathy), Regulation 2022 (in short 'the 2022 Regulation').

4. According to the learned counsel for the petitioner, the adhoc committee consisting of nominated members cannot take a decision to implement regulation 9 of the 2022 Regulation.

5. The learned counsel relying upon the Rules framed by the Tamilnadu Homeopathy Council in the year 1971, tried to impress upon the Court that the decision of the Executive Committee and the Council of Tamilnadu Homeopathy dated 18.03.2025 to implement the regulation 9 of the 2022 Regulation is improper and irregular.



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6.We find no force in such argument. Regulation No.9 of the 2022 Regulation contemplates preparation of registered practitioners in Homeopathy and after revamping the statute, the State Council had decided to invite applications from the eligible medical practitioners in Homeopathy.

7.We find that only after preparing the list of registered practitioners of Homeopathy, the next process of electing the Executive Committee Members for the State Council will come. Hence, the adhoc committee, which has now taken the decision to prepare and maintain the eligible registered practitioners of Homeopathy is in consonance with the provisions of the National Commission for Homoeopathy Act.

8.Hence, this writ petition is dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

[G.J., J.] & [K.K.R.K., J.]
16.12.2025

Index :Yes/No
Internet :Yes
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