

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)No.16392 of 2020

and

W.M.P.(MD)No.13713 of 2020

R.Justin Raj

... Petitioner

Vs.

- 1.The Union of India,
Rep. by its Secretary to Government of India,
Ministry of Health and Family Welfare,
Nirman Bhawan, New Delhi.
- 2.The Government of Tamil Nadu,
Rep. by the Principal Secretary,
Department of Health and Welfare,
Fort St. George, Chennai – 5.
- 3.Naturo Electro Homeopathy Medicos of India,
Rep. by its Secretary,
New Delhi- 110 058
- 4.The District Collector,
O/o. the District Collector,
Nagercoil, Kanyakumari District.
- 5.The Superintendent of Police,
O/o the Superintendent of Police,
Kanyakumari District.
- 6.The Joint Director Medical Service,,
O/o.Joint Director Medical Service,
Nagercoil, Kanyakumari District.

7.The Inspector of Police,
Vadaseri Police Station,
Dindigul District.

.... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Mandamus, directing the Respondents Nos.4 to 7 not to harass the Petitioner without any legally sustainable complaint and consequently forbearing the respondents from interfering with the petitioner's right to practice Electropathy Service as a mode of therapy.

For Petitioner : Mr.J.Pandi Dorai
For R-1 : Mr.S.Sivakumar
For R-2 to R-7 : Mr.R.Srinivasan
Government Advocate

ORDER

This Writ Petition has been filed directing the Respondents Nos.4 to 7 not to harass the Petitioner without any legally sustainable complaint and consequently forbearing the respondents from interfering with the petitioner's right to practice Electropathy Service as a mode of therapy.

2. The learned counsel for the petitioner would submit that the petitioner is a certified practitioner of Electropathy/ Electro-homeopathy and he is published three books in the field of

Electrotherapy in Tamil and English languages to create awareness and give proper education to the scholars of Electrotherapy. At this juncture, officers claiming to be acting on the orders of the District Collectors and the Joint Directors of Health Department often in the name of search, are entering into our service and work places and premises, and through Police Personnel are filing false cases leading, at times, to continuous harassment. Hence, the petitioner had given a detailed representation, dated 08.10.2020, to the respondents 4 to 7 requesting them, not to interfere with the right of the petitioner to practice Electrotherapy service and consequently, not to harass the petitioner. So far, no action has been taken by the respondents. Hence, the present petition.

3.The learned Government Advocate appearing for the respondents would submit that the representation of the petitioner dated 08.10.2020 will be considered within a period of four weeks.

4.Considering the submissions made on either side, the respondents are directed to consider the representation of the petitioner, dated 08.10.2020, on merits and in accordance with law,

within a period of four weeks from the date of receipt of a copy of this order and communicate the result to the petitioner so that he can work out his remedy in the manner known to law.

5. With the above direction, this Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is closed.

20.11.2020

Index: Yes/No
Internet: Yes/No
Ls/msa

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:-

1. The Principal Secretary,
Department of Health and Welfare,
Fort St. George, Chennai – 5.
2. The Secretary,
Natu Electro Homeopathy Medicos of India,
New Delhi- 110 058
3. The District Collector,
O/o. the District Collector,
Nagercoil, Kanyakumari District.

4. The Superintendent of Police,
O/o the Superintendent of Police,
Kanyakumari District.
5. The Joint Director Medical Service,,
O/o. Joint Director Medical Service,
Nagercoil, Kanyakumari District.
6. The Inspector of Police,
Vadaseri Police Station,
Dindigul District.

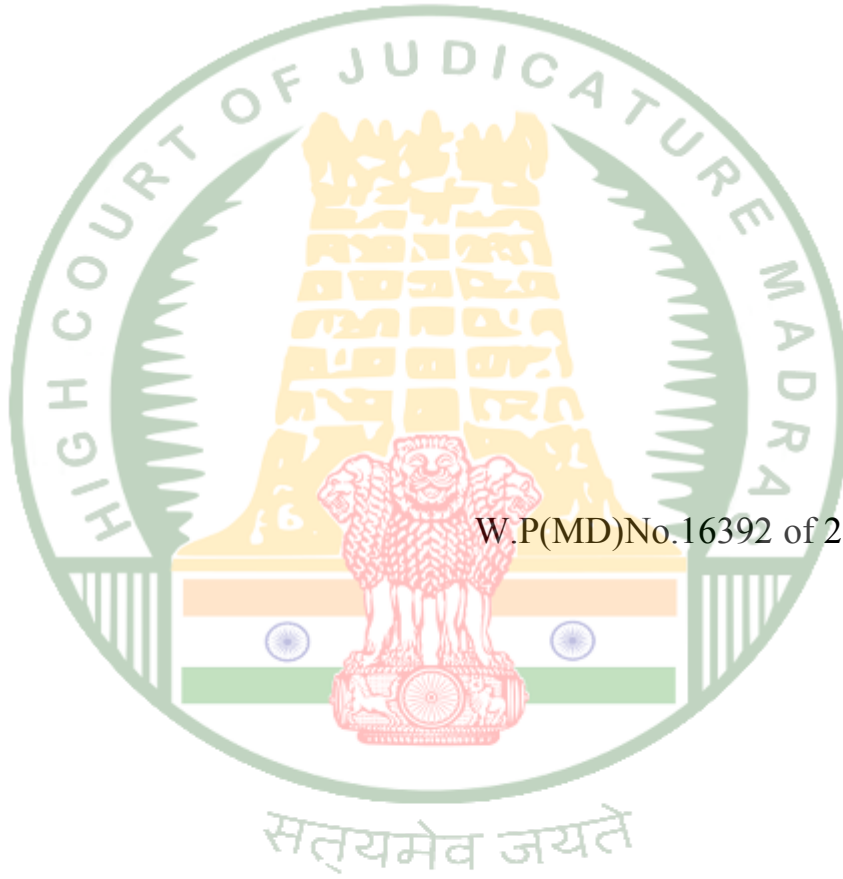


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