

IN THE HIGH COURT OF KERALA AT ERNAKULAM

Present :

THE HON'BLE MR. JUSTICE P.N.RAVINDRAN

Tuesday the 26th day of April 2011/6TH VAISAKHA 1933

WP(C).No. 12533/2011 (N)

PETITIONER:

1. DR.SAJEESH KUMAR B., 'PREM NIVAS', KOTHERY, MATTANNUR P.O., KANNUR-670702.
2. DR.SADATH D.R., 'UDAYAGIRI' (KOOTTUNGAL HOUSE), SAKTHIKULANGARA P.O., KOLLAM-691581.
3. DR.DEVIDASAN M., 'GANAM', RAVIPURAM, KOCHI-16.
4. DR.VINEEDS., THEKKINIYEDATH MANA, KALLUVAZHI P.O., PERUMBAVOOR, ERNAKULAM DISTRICT.

RESPONDENTS:

1. THE UNION OF INDIA, REP. BY THE SECRETARY, MINISTRY OF HEALTH AND FAMILY WELFARE, NIRMAN BHAVAN, MAULANA AZAD ROAD, NEW DELHI-110108.
2. THE STATE OF KERALA, REP. BY THE SECRETARY, HEALTH AND FAMILY WELFARE DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.
3. CENTRAL COUNCIL OF INDIAN MEDICINE JAWAHAR LAL NEHRU BHARTIYA CHIKITSA AVAM HOMOEOPATHY ANUSANDHAN BHAWAN, 61-65, INSTITUTIONAL AREA, JANAKPURI, NEW DELHI-110058.
4. THE TRAVANCORE - COCHIN MEDICAL COUNCILS, COMBINED COUNCIL BUILDING, RED CROSS ROAD, THIRUVANANTHAPURAM-695035.
5. SRI.K.CHANDRAN VAIDYAR, P.P.K.MEMMORIAL VAIDYASSALA, CHAVASSERY P.O., MATTANNUR VIA., KANNUR DISTRICT-670702.

Writ Petition praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to stay the operation and implementation of Ext.P6 order, pending disposal of the Writ petition ©.

This petition coming on for orders upon perusing the petition and the affidavit filed in support of the WP(C) and upon hearing the arguments of M/S.E.K.NANDAKUMAR, JAYASANKAR A.K., JOHN MATHAI K., BENNY P.THOMAS AND P.GOPINATH MENON, Advocates for the Petitioner, and of Mr.N.Reghuraj Standing counsel for R4, the court passed the following

p.t.o.

P.N.RAVINDRAN, J

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WP(C) NO.12533 OF 2011
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DATED THIS THE 26th DAY OF APRIL, 2011

ORDER

Admit. Issue urgent notice returnable in ten days to respondents 1 and 3 to 5. Sri N.Reghuraj, learned standing counsel takes notice for the fourth respondent. In view of Ext.P7 interim order passed in WP(C) 6579 of 2007 wherein the very same Government order is under challenge, I am of the opinion that the petitioner is entitled to an interim order as prayed for. There will accordingly be an interim order staying the operation and implementation of Ext.P6 Government Order until further orders.

Post along with WP(C)Nos.6579 & 6503of 2011 and WP(C) No.16400 of 2009.

Sd/-
P.N.RAVINDRAN,
JUDGE

Antony
Assistant Registrar

lgk

True copy

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Ext.P6: True copy of S.O. (MS) No. 114/11 dated 21.2.2011 issued
by the Government.

Ext.P7: True copy of the interim order dated 15.3.2011 in
WP(C).6579/2011

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