

Order in W.P.No.7422 of 2020, dated 03.04.2020
[P.A.Jossep V. The State of Tamil Nadu, Rep. by its Chief Secretary,
Govt. of Tamil Nadu, Chennai and 3 others]

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03-04-2020

CORAM

**THE HONOURABLE DR.JUSTICE VINEET KOTHARI
AND
THE HONOURABLE MR.JUSTICE R.SURESH KUMAR**

W.P.No.7422 of 2020

P.A.Jossep

..... Petitioner

.Vs.

1. The State of Tamil Nadu
Rep. by its Chief Secretary,
Secretariat Buildings,
Fort St. George,
Chennai - 9.
2. The State of Tamil Nadu
Rep. by its Principal Secretary,
Health and Family Welfare Department,
Secretariat Buildings,
Fort St. George,
Chennai - 9.
3. The Central Council for Research in Siddha
Rep by its Director
Siddha Central Research Institute,
Arignar Anna Govt. Hospital Campus,
Arumbakkam, Chennai - 600 106.
4. The Director General of Police
Dr. Radhakrishnan Salai,
Mylapore, Chennai - 4.

... Respondents

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Writ petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the Respondents 1 to 3 by providing Kabasura Kashayam for the COVID-19 affected patients for boosting their immunity and to provide as a preventive vaccine to all the citizens of Tamil Nadu for mass eradication of Covid-19 in all the primary health centres.

For Petitioner : Mr.P.A.Josseph

For Respondents : Mr.P.H.Arvind Pandian
Additional Advocate General

ORDER

(Order of the Court was made by Dr.VINEET KOTHARI, J)

We have taken up this writ petition for hearing through Video Conferencing in view of the lockdown announced by the State Government and the country wide lockdown announced by the Hon'ble Prime Minister in view of COVID-19 threat perception and as the usual working of the Courts is not taking place under the various circulars issued by High Court and the present Division Bench as per the assigned Roaster by the Hon'ble Chief Justice, has made arrangements for hearing of the present petition through Video Conferencing, sitting at respective residence offices and connected on "ZOOM" platform to connect to the concerned counsels or party-in-person through the technology support of Registry and Technicians.

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2. This writ petition has been filed by one Mr.P.A.Josseph, party appearing in person. He addressed his arguments in Tamil vernacular language, which was translated by one of us (Brother R.SURESH KUMAR, J) for the benefit of the Bench also. Additional Advocate General, Mr.P.H.Arvind Pandian also was heard.

3. The prayer made in the present petition is that COVID-19 patients should be treated by medicine known as Kabasura Kashayam which is a part of Siddha Medical Treatment.

4. We have already issued a direction in W.P.Nos.7416 and 7417 of 2020 to the State Government that all these kind of representations made from different quarters may be considered by the Committee headed by the Health Secretary, who is Respondent No.2 also.

5. The learned Additional Advocate General has brought to the notice of this Court that Central Government has issued recently again guidelines on 01.04.2020 in pursuance of the earlier G.O.No.40, dated 24.03.2020, in which a Special Task Force has been constituted headed by the Hon'ble Chief Minister, in which five members have been added, three from different Branches of the

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Medical field and two from the I.A.S., Cadre, which is constantly monitoring the various guidelines issued by the Central Government. He has submitted that in the light of the guidelines laid down by the Central Government, the aforesaid Technical Committee headed by the Health Secretary, will consider the representation made in the present petition also.

6. Accordingly, we are not inclined to pass any further order in this PIL petition and we dispose of the same by directing the Technical Committee, headed by the Health Secretary to consider the representation made in this Public Interest Litigation Petition also with regard to treatment of COVID-19 patients by Kabasura Kashayam and take appropriate decision in this matter, in accordance with the Guidelines issued by the Central Government.

7. With these observations, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition, if any is also closed.

(V.K. J.) (R.S.K. J.)

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DR.VINEET KOTHARI, J.
AND
R.SURESH KUMAR, J.

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