

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.06.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.18601 of 2015

Nethaji Pharmacy
Siddha & Ayurveda Medicine Manufacture,
No.6, Palaniappa Nagar,
Dindigul-624 709,
Rep by its Proprietor,
S.Revathi .. Petitioner

Vs.

- 1.The Commissioner of Indian Medicine,
& Homeopathy,
Anna Hospital Campus,
Arumbakkam,
Chennai-600 106.
- 2.The Chairman & Managing Director,
Tamil Nadu Medicinal Plant Farms and
Herbal Medicine Corporation Ltd (Tampcol)
Anna Hospital Campus
Arumbakkam,
Chennai-600 106.
- 3.The Director of Medical and Rural Health
Services (ESI),
Anna Hospital Campus,
Arumbakkam,
Chennai-600 106 .. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent to issue work orders to the petitioner pharmaceutical company for the supply of Siddha medicines to the ISM wings of ESI hospitals in Tamil Nadu under the control of 1st respondent by extending the tender period referred in Tender Notice Ref.No.775/TAM/NA/OT/2014 for a further period of three months by considering the representation of the petitioner dated 04.05.2015 within a specified period.

For Petitioner : M/s.S.Vijayan

For Respondents : Mr.V.Subbiah,
Special Government Pleader

O R D E R

By consent, this writ petition is taken up for final disposal.

2. The petitioner would state that the second respondent invited sealed tenders for supply of Siddha, Ayurvedha, Unani and Homeopathy medicines to the Indian System of Medicine (ISM) wings in Tamil Nadu under the control of the first respondent for the period from 01.06.2014 to 31.03.2015. The petitioner further claims that it is licensed to manufacture Ayurvedha and Siddha medicines and sell the same. The tender was opened on 20.11.2014 much after the prescribed period, work orders were belatedly issued. The petitioner has submitted a representation dated 04.05.2015 to the second respondent espousing the grievances faced by suppliers of Siddha and other forms of medicines and also prayed for extension of period for supply of medicines on account of delay on the part of the second respondent and since, it has been not been disposed of, came forward to file this writ petition.

3. Heard the submissions of Mr.V.Subbiah, learned Special Government Pleader, who accepts notice on behalf of the respondents.

4. Though the petitioner has prayed for larger relief, this Court, in the facts and circumstances and without going into the merits of the petitioner's representation dated 04.05.2015, directs the second respondent to consider and dispose of the petitioner's representation dated 04.05.2015 on merits and pass orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5. This Writ Petition is disposed of accordingly.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

jvm

To

1.The Commissioner of Indian Medicine,
& Homeopathy,
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Arumbakkam,
Chennai-600 106.

2.The Chairman & Managing Director,
Tamil Nadu Medicinal Plant Farms and
Herbal Medicine Corporation Ltd (Tampcol)
Anna Hospital Campus
Arumbakkam,
Chennai-600 106.

3.The Director of Medical and Rural Health
Services (ESI),
Anna Hospital Campus,
Arumbakkam,
Chennai-600 106

+1cc to Mr.S. Vijayan, Advocate, S.R.No.32323

+1cc to the Government Pleader, S.R.No.31793

SCD(CO)
EU(07/07/2015)

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सत्यमेव जयते
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