

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.6107 of 2015

M/s.Medipol Pharmaceuticals India P. Ltd.,
A Private Limited Company,
Rep by its Authorized Signatory,
Mr.Rajkumar Sharma,
S/o. Lt.Sh.S.N.Sharma,
No.VII/380.A, Jwala Nagar,
Delhi - 110 032.

Petitioner

Versus

1.The Secretary to Government of Tamil Nadu,
Represented by its Hon'ble Secretary,
Health and Family Welfare Department,
Fort St.George,
Chennai - 600 009.

2.The Managing Director,
Tamil Nadu Medical Services -
Corporation Ltd.,
2nd Floor, 417, Pantheon Road,
Egmore, Chennai - 600 008.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to adjudicate the appeal dated 19.1.2015 of the petitioner against the impugned order Black Listing order of TNMSC Ref.No.COMO69A/TNMSC/QC/2012-13 dated 17.12.2014 on the file of Second Respondent herein.

For Petitioner : Mr.M. Ramdhas
[for Mr.R.Sankarasubbu)

For Respondents: Ms.P.Rajalakshmi
[Government advocate]

ORDER

Heard Mr.M.Ramdhas, learned counsel for the petitioner and Ms.P.Rajalakshmi, learned Government Advocate accepting notice on behalf of the respondents and with the consent of the learned counsel

on either side, the writ petition itself is taken up at the admission stage.

2.The petitioner has filed this Writ Petition seeking for the direction upon first respondent to consider the appeal petition dated 19.01.2015 challenging the order of the Managing Director of the Tamil Nadu Medical Services Corporation Ltd., dated 17.12.2014. By the said order, the petitioner-company was blacklisted for a period of five years. The allegationn against the petitioner was regarding the quality of the medicines which were supplied. As against the order of the blacklisting, the petitioner has preferred an appeal to the first respondent and the appeal is pending.

3.In the light of the above, without going into the merits of the petitioner's contentions, there will be a direction to the first respondent to consider the petitioner's appeal on merits and in accordance with law, after issuing notice to the petitioner and affording opportunity of personal hearing. The appeal shall be disposed of within a period of four months from the date of receipt of a copy of this order.

4. The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar
Dated:16.3.15

True Copy

Sub Assistant Registrar

To

1.The Hon'ble Secretary,
Secretary to Government of Tamil Nadu,
Health and Family Welfare Department,
Fort St.George, Chennai - 600 009.

2.The Managing Director,
Tamil Nadu Medical Services -
Corporation Ltd.,
2nd Floor, 417, Pantheon Road,
Egmore, Chennai - 600 008.

+1 cc to The Government Pleader,SR.12948

+1 cc to Mr.R.Sankarasubbu, Advocate,SR.12548.

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