

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.8804 OF 2015

ORDER:

The petitioner assails communication Rc.No.640/GRD/ AD/KMM/2014 dated 27.03.2015 of the 1st respondent.

The petitioner on 14.07.2014 read with application dated 16.07.2014 applied for renewal of drug licence granted by the

1st respondent. The 1st respondent returned the application with the following endorsement:

“With reference to your application cited at 1st above, it is to inform you that as per records available in this office, there is no valid drug license as on the date of application. The license issued to M/s Meghana Medical and General Stores, Saraswathi Complex, Khammam had been already cancelled vide this office proceedings Rc.477/BV/OI/ KMM/2009 dated 17.03.2010 for assigning valid reasons.

You aggrieved by the orders and preferred an appeal to the Government and appellate authority also upheld the orders of Assistant Director and Licencing Authority, Drugs Control Administration, Khammam. Aggrieved by the orders of appellate authority you preferred an appeal in the Honourable High Court of A.P. The Honourable High Court has not passed any orders to restore/renew the licence which had been already cancelled.

Therefore, your application along with the original and set of copy application (two sets) including original challan bearing No.0000006028 dated 09.06.2014 is herewith returned for your kind information.”

The petitioner herein filed W.P.No.6511 of 2012 praying for Certiorari to call for the records pertaining to G.O.Rt.No.300, Health Medical & Family Welfare (L2) Department dated 22.02.2012, confirming the order of 2nd respondent therein canceling drug license of petitioner through order dated 17.03.2010 and quash the same as illegal and contrary to the material available on record. This Court through a separate order disposed of the said writ petition by making the interim order as final order.

With the disposal of W.P.No.6511 of 2012, the substance of objection against consideration of the renewal application dated 14.07.2014 read with application

dated 16.07.2014, for all purposes, does not subsist. The communication dated 27.03.2015, as a result of disposal of W.P.No.6511 of 2012, is set aside. The 1st respondent is directed to consider the application of the petitioner dated 14.07.2014 read with application dated 16.07.2014, undertake physical verification of shop in question, conduct such other enquiry as he deems fit and proper, pass and communicate orders to the petitioner. The consideration of application is directed to be independent and without reference to the decision taken through proceedings Rc.No.477/BV/OI/KMM/2009 dated 17.03.2010.

The writ petition is, accordingly, ordered as indicated above. There shall be no order as to costs.

S.V.BHATT, J

20th April, 2015

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