

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.6511 OF 2012

ORDER:

The petitioner prays 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

3rd respondent 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.

The 3rd respondent issued show cause notice dated 06.01.2010 calling upon the petitioner to show cause why drug license No.1873/AP/KM/2009/G/R dated 23.06.2009 be not cancelled. The petitioner claims to have submitted explanation on 11.01.2010. The 3rd respondent through proceedings Rc.No.477/BV/OI/KMM/2009 dated 17.03.2010 cancelled the drug license under the Drugs and Cosmetic Rules, 1945.

The petitioner carried the matter in appeal before the

1st respondent. The 1st respondent through G.O.Rt.No.300 dated 22.02.2012 confirmed the order dated 17.03.2010. Hence, the writ petition.

This Court through interim order dated 12.03.2012 suspended the operation of proceedings Rc.No.477/BV/OI/KMM/2009 dated 17.03.2010 and G.O.Rt.No.300, Health Medical & Family Welfare (L2) Department dated 22.02.2012. The reasons which weighed with this Court for suspending the proceedings dated 17.02.2010 and G.O.Rt.No.300 dated 22.02.2012 hold good for the consideration and disposal of the writ petition.

I have perused the proceedings dated 17.03.2010 and G.O.Rt.No.300 dated 22.02.2012. In the considered view of this Court, the 3rd respondent issued show cause notice with definite charges, traversed the issue beyond the charges, recorded findings and cancelled the drug license. The same reasoning was adopted in dismissing the appeal filed by the petitioner.

It is a matter of record that the currency of the drug license is up to 22.06.2014. With the expiry of the license period, the consideration of other objections in the writ petition would only be academic and no useful purpose would be served.

The interim order granted on 12.03.2012 in W.P.M.P.No.8264 of 2012 for the same reasons is made final order in the writ petition.

The writ petition is, accordingly, disposed of. There shall be no order as to costs.

S.V.BHATT, J

20th April, 2015

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