

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2016

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.SUNDAR

W.P.Nos.10536 and 10537 of 2016

Federation of South Indian Pharmaceutical
Manufacturers Association
Block D-1, Baid Mehta Complex
16/183, Anna Salai, Little Mount
Saidapet, Chennai - 15
rep. by its Chairman, B.Sethuraman. ... Petitioner
in both WPs.

Vs.

1. The Union of India
rep. by its Secretary
Health and Family Welfare
Nirman Bhavan, New Delhi - 110 011.
2. The Drugs Controller General of India
FDA Bhavan, ITO, Kotla Road
New Delhi - 110 002. ... Respondents 1 & 2
in both WPs.
3. The State of Tamil Nadu
rep. by its Secretary
Health and Family Welfare
Fort St. George, Chennai - 9. ... 3rd Respondent
in WP.10536/2016

PRAYER in W.P.No.10536 of 2016: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Certiorarified Mandamus to call for the records of the first respondent pertaining to the impugned notifications dated 10.3.2016 published in the Gazette of India Extraordinary Part II Section 3(ii) and mentioned in the Schedule annexed to the petition and quash the same and consequently forbear the respondents, their officers, men, servants, agents, representatives, etc., from taking any coercive action on the members of the petitioner association by enforcing the impugned notifications with costs.

PRAYER in W.P.No.10537 of 2016: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Declaration declaring Section 26A of the Drugs and Cosmetics Act, 1940 as ultra vires the Constitution of India and consequently forbearing the respondents from exercising any powers thereunder.

For Petitioner : Mr.T.D.Selvan Babu

For Respondents : Mr.Su.Srinivasan
Asst. Solicitor General
for respondents 1 and 2
in both writ petitions
Mr.M.K.Subramanian
Government Pleader
for 3rd respondent
in W.P.No.110536 of 2016

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

The learned counsel for the petitioner states that in view of the judgment in Pfizer Limited and another v. Union of India and another [W.P. (C) No.2212 of 2016, dated 1.12.2016] by the Delhi High Court, he has instructions to withdraw the petitions. Endorsement made.

These petitions are dismissed as withdrawn. No costs.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

To:

1. The Secretary
Union of India
Health and Family Welfare
Nirman Bhavan, New Delhi - 110 011.
2. The Drugs Controller General of India
FDA Bhavan, ITO, Kotla Road
New Delhi - 110 002.

3. The Secretary
State of Tamil Nadu
Health and Family Welfare
Fort St. George, Chennai - 9.

+2 cc's to Mr.T.D.Selvan babu,advocate,sr.73825 & 826.

+1 cc to mr.Su.srinivasan,advocate,sr.73555.

kk(co)
krd 2/1

W.P.Nos.10536 and 10537 of 2016



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