

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2016

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
THE HON'BLE MR. JUSTICE R.MAHADEVAN

W.A.No.2323 of 2011
and
M.P.No.1 of 2011

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

Vs.

CIPLA Limited,
Regional Office,
106/A, Allapakkam Main Road,
Allapakkam, Chennai-600 116,
rep. by Depot Manager. ... Respondent

Appeal filed under Clause 15 of Letters Patent against the order dated 09.09.2011 made in W.P.No.7458 of 2011 on the file of this Court.

W.P.No.7458 of 2011

Petition presented to this Court to issue a Writ of Certiorarified Mandamus to call for the entire records in connection with the impugned notification issued by the 1st Respondent in GSR No.82(E) published in Gazette of India Extraordinary Part II - Section 3 - Subsection (i) dated 10.02.2011 and quash the same in so far as it relates to item No.3 viz. Phenylpropanolamine and direct the respondents to review the prohibition after giving an opportunity to the petitioner.

For Appellant .. Mr.K.Mohanamurali
SPC

For Respondents .. Mr.Jose John
for
M/s.King & Partridge

JUDGMENT

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

The learned counsel for the respondent points out that the matter has become infructuous, as the concerned manufacturing activities have already been stopped.

2. With consent of the parties, the appeal is disposed of as infructuous in view of the aforesaid position. No costs. Consequently, M.P.No.1 of 2011 is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1.The Secretary,
Ministry of Health and Family Welfare,
FDA Bhavan, ITO Kotla Road,
New Delhi-110 002.

2.The Drugs Controller General of India,
FDA Bhavan, ITO Kotla Road,
New Delhi-110 002.

+1cc to Mr.K.Mohanamurali, Advocate sr.29166
+1cc to M/S.King & Partridge, Advocate sr.29348

W.A.No.2323 of 2011

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srg 13/06/2016