



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.11.2016

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition(MD)No.18224 of 2016

C.Ramesh

... Petitioner

Vs.

1. The District Collector,
Ramnad District.
2. The Deputy Collector,
Paramakudi, Ramnad District.
3. The Revenue Divisional Officer,
Paramakudi, Ramnad District.
4. The Joint Director,
Welfare Work Department,
Ramnad District.
5. The Deputy Director,
Health Department,
Paramakudi,
Ramnad District.
6. The Inspector of Police,
Town Police Station,
Paramakudi,
Ramnad District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to consider the representation, dated 14.09.2016 and consequently directing the respondents 1 to 6 to break up the seal and hand over the key to the petitioner.

For Petitioner : Mr.K.Suresh
For Respondents : Mr.J.Gunaseelan Muthiah
Government Advocate

ORDER

<https://hcservices.ecourt.gov.in/hcservices/> Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.



2. By consent, the Writ Petition itself is taken up for final disposal.

3. According to the petitioner, the respondents inspected the petitioner's medical shop and found that he was running a clinic therein, which is in violation of Drugs and cosmetics Act and also Indian Medical Council Act and hence, they locked and sealed the petitioner's pharmacist and subsequently, based on the complaint given by the fourth respondent, a case was also registered against the petitioner in Crime No.404 of 2016 on the file of the Paramakudi Town Police Station for the offences punishable under Sections 419, 417, 420, 15(3) of the Indian Medical Council Act, 1956 and 18(A) (III) Drugs and Cosmetics Act, 1940. Subsequently, the petitioner said to have given a representation to the authorities on 14.09.2016 to remove the seal and open the shop. The above said representation is pending before the respondents from 14.09.2016. But the respondents did not take any action so far. Hence, the petitioner has filed this Writ Petition.

4. Without going into the merits of the case, taking into consideration of the fact that the petitioner's representation is pending with the respondents from 14.09.2016, the second and fourth respondents are directed to consider the petitioner's representation and pass appropriate orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

Sd/
Assistant Registrar(RTI)

/TRUE COPY/

Sub Assistant Registrar

To

1. The District Collector,
Ramnad District.
2. The Deputy Collector,
Paramakudi, Ramnad District.
3. The Revenue Divisional Officer,
Paramakudi, Ramnad District.
4. The Joint Director,
Welfare Work Department,
Ramnad District.



5. The Deputy Director,
Health Department,
Paramakudi,
Ramnad District.

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6. The Inspector of Police,
Town Police Station,
Paramakudi,
Ramnad District.

+1cc to M/s.K.Suresh, Advocate, in SR No.65604.

+1cc to Special Government Pleader in SR.No.66032.

W.P (MD) No.18224 of 2016
03.11.2016

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