

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.17309 OF 2016

ORDER :

The case of the petitioner is that on a complaint made by the 5th respondent, the petitioner's shop was seized by the 3rd respondent vide proceedings dated 29.03.2016 on the ground that a clinic is attached to the petitioner's shop and the same is being run by the un-qualified persons. Though petitioner made representations on 22.04.2016 and 18.05.2016 to the authorities explaining that there is no clinic attached to the medical shop, no action has been taken so far. Aggrieved by the same, the present writ petition is filed.

Learned counsel for the petitioner submits that the petitioner's license for running the medical shop is valid as on today and no clinic is attached to his shop.

Learned Assistant Government Pleader for Medical and Health produced written instructions stating that the petitioner's shop was inspected by the Drugs Inspector, Drugs Control Administration on 04.07.2015 basing on the complaint made by one Dr.S.Deepak Raj on 11.06.2015 and found that no clinic is being attached to the petitioner's shop. He also submits that petitioner was issued show cause notice dated 16.07.2015 by the Assistant Director Twin Cities-II on certain violations of Rule 65(2), 65(9)(a), 65(4)(4)(i) and 65(4)(3)(i) of Drugs and Cosmetics Act, 1940 and Rules 1945 and thereafter, the petitioner's firm was suspended for five days on 12.08.2015 and the same was implement on 22.08.2015.

Since it is stated that license of the petitioner to run medical shop is in subsistence, the respondent authorities shall permit the petitioner to run the same, pending enquiry. However, this will not preclude the authorities from initiating proceedings against the petitioner if any violation is committed by him or tries to run any clinic.

The petitioner shall give an undertaking that he shall not run any clinic.

With the above direction, the writ petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

10.06.2016

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