

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WRIT PETITION Nos.11835 & 11880 of 2017

Allopathy Pharmacist Welfare Association
Rep. by its Secretary Mr.S.V.Ravi
No.5, Sathiamurthy Street, Arakonam,
Vellore District - 631 001.Petitioner in both WPs

Vs.

1. The Government of Tamil Nadu,
rep. by the Principal Secretary to the Government,
Health and Family Welfare Department,
Fort St.George, Chennai 600 009.
2. The Director of Medical and Rural Health Services,
Chennai 600 006.
3. The Drug Controller,
DMS Compound, Chennai 600 006.
4. The Registrar,
Pharmacy Council of Tamil Nadu,
Vadapalani, Chennai 600 026.Respondents in both WPs

Prayer: Petitions filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the Second Respondent to consider the Petitioner's representation in Letter No.05/2016 and 06/2016 dated 04.12.2016 and 07.12.2016 with regard to appointment of sufficient number of Pharmacists and other grievances and pass appropriate orders thereon within a time limit to be fixed by this Hon'ble Court.

For Petitioner : Mr.P.Rajendran
(In both Wps)

For Respondents : Mr.K.Dhananjeyan (For R1 to R3)
(In both Wps) Special Government Pleader

Mr.P.Sanjay Gandhi (For R4)
Additional Government Pleader

C O M M O N O R D E R

The relief sought for in these writ petitions are for a direction to direct the second respondent to consider the petitioner's representations dated 4th December 2016 and 7th December 2016 with regard to the appointment of sufficient number of Pharmacists and other grievances and pass appropriate orders.

2. Such representations given in general by the writ petitioner Association cannot be considered in these writ petitions, in view of the fact that filling up of the post of Pharmacists is the administrative prerogative of the Government and, any member of the petitioner-Association has got any claim, it has to be adjudicated in the manner known to law.

3. But, this Court cannot consider the claim of the Association for the prayer as such sought for in these writ petitions and the relief sought for in these writ petitions cannot be granted.

4. At this juncture, the learned counsel appearing for the writ petitioner has chosen to withdraw the writ petitions.

5. In view of this, the writ petitioner is permitted to withdraw the writ petitions. Accordingly, these writ petitions stand dismissed as withdrawn. However, there is no order as to costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To.

1. The Principal Secretary to the Government,
Health and Family Welfare Department,
Fort St. George, Chennai 600 009.
2. The Director of Medical and Rural Health Services,
Chennai 600 006.
3. The Drug Controller,
DMS Compound, Chennai 600 006.

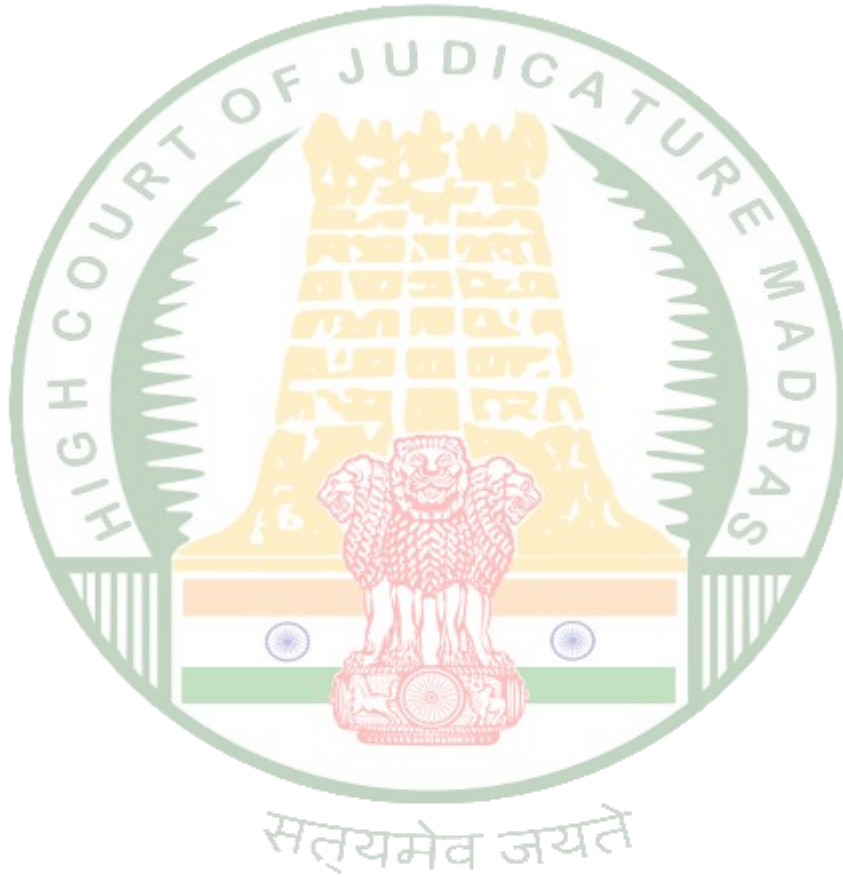
4. The Registrar, Pharmacy Council of Tamil Nadu,
Vadapalani, Chennai 600 026.

+ 2 cc to M/s.P.Rajendran, Advocate, SR.47356, 47357

+ 1 cc to The Govt.Pleader, SR.47270

W. P. Nos. 11835 & 11880 of 2017

NR 24/07/2017



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