

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.12.2018

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.27950 of 2005

And

W.P.M.P.No.30387 of 2005

Dr.M.J.Divyanand

... Petitioner

..Vs..

- 1.The Director Drug Control,
Kilpauk Area,
Having Office at DMS Building,
Teynampet, Chennai - 600 018.
- 2.Assistant Director of Drugs Control,
Zone - II,
Chennai - 6.
- 3.Mr.Vijay Kumar,
Assistant Director of Drug Control,
Kilpauk Area,
Having Office at DMS Building,
Teynampet, Chennai - 600 018.
- 4.Mr.M.G.Raghuraman,
Area Drugs Inspector,
Kilpauk Area,
Having Office at DMS Building,
Teynampet, Chennai - 600 018.
- 5.M/s.Kumaran Pharmacy,
Rep.by its (Managing Partner)
M/s.Kumaran Hospital Private Limited,
at New No.214, Old No.869,
Poonamalle High Road, Kilpauk,
Chennai - 600 010.

...Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the entire records of the order passed by the 2nd respondent bearing reference No.3503/ADDC/ZII/200 dated 28.04.2005 and quash the same as illegal and consequently direct the respondents 1,2,3 and 4 to cancel the license dated 11.08.2003 issued to 5th respondent and thereon restore status quo anti in respect of the name and constitution of the firm MGK

Medicals at New No.214, Old No.869, Poonamalle High Road,
Kilpauk, Chennai - 600 010.

For Petitioner : Mr.A.Palaniappan

For Respondents : Mr.Akhil Akbar Ali
Government Advocate for R1 & R2

Mr.P.Thiagarajan for R5
RR3 & 4

Dismissed vide Court order
dated 31.10.2008

O R D E R

The license granted by the second respondent in favour of the respondents 3 to 5 in proceedings dated 28.04.2005 for running a medical shop, is under challenge in the present writ petition. The writ petitioner seeks further direction to cancel the license dated 11.08.2003 issued to the fifth respondent and thereon restore status quo anti in respect of the name and constitution of the firm MGK Medicals.

2. On account of dispute between the partners, the dispute aroused and the license granted in favour of the fifth respondent is sought to be cancelled in the present writ petition.

3. The fact remains that the license was granted on 11.08.2003 and now after the lapse of 15 years, cancellation of the license granted long back, need not be considered. However, if any grievances exist to the writ petitioner, it is left open to him to file an appeal / revision petition before the Competent Authority for the redressal of his grievances in the manner known to law.

4. With these observations, the present writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

Pns/svn

To

1.The Director Drug Control,
Kilpauk Area,
Having Office at DMS Building,
Teynampet, Chennai - 600 018.

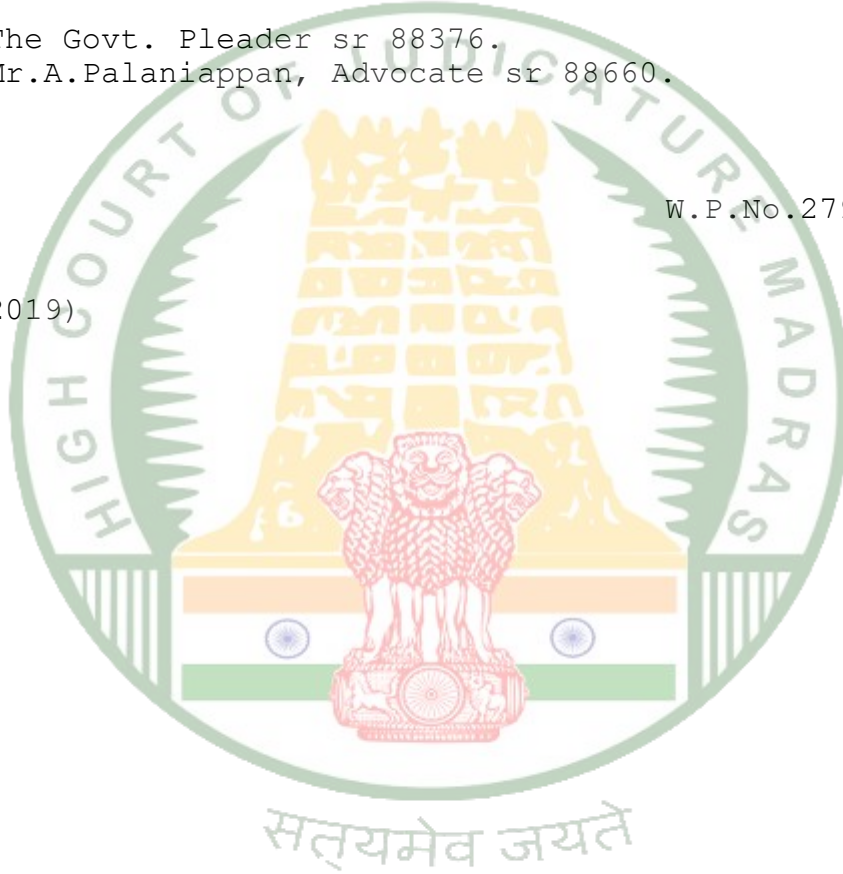
2.Assistant Director of Drugs Control,
Zone - II,
Chennai - 6.

+1 CC to The Govt. Pleader sr 88376.

+1 CC to Mr.A.Palaniappan, Advocate sr 88660.

W.P.No.27950 of 2005

RGN(CO)
SP(14/02/2019)



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