

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2018

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.Nos.34182 & 34186 of 2018

and

W.M.P.Nos.39716 & 39718 of 2018

M/s.Jackson Laboratories Private Limited,
A Private Limited Company registered under
the provisions of the Companies Act, 1956
Represented by its Managing Director,
Mr.Jugal Kishore,
22-24, Majitha Road, Bye Pass,
P.O. Khanna Nagar,
Amritsar - 143 004. ... Petitioner in both W.Ps.

Versus

- 1.The Chairman,
Tamil Nadu Medical Services Corporation Ltd.,
Board-cum-Principal Secretary,
Department of Health and Family Welfare,
Government of Tamil Nadu,
Chennai - 600 008.
- 2.Tamil Nadu Medical Services Corporation Ltd.,
(A Government of Tamil Nadu Undertaking)
Represented by its Managing Director,
No.147, Pantheon Road, II Floor,
Egmore, Chennai - 600 008.
- 3.General Manager (Drugs),
Tamil Nadu Medical Services Corporation Ltd.,
No.147, Pantheon Road, II Floor,
Egmore, Chennai - 600 008. ... Respondents in both W.Ps.

Prayer in both W.Ps.: Writ petitions filed under Article 226 of the Constitution of India praying for a writ of certiorari calling for the records on the file of the 2nd respondent in Order No.WHC010/WH34/TNMSC/QC/2017-18 dated 07.12.2017 & 12.12.2017 and quash the same as illegal and without jurisdiction.

For Petitioner in both W.Ps. : Mr.P.Rameshkumar
For Respondents in both W.Ps. : Mr.V.Shanmugasundar
Special Government Pleader

COMMON ORDER

By consent of both parties, these writ petitions are taken up for final disposal at the admission stage itself.

2. These writ petitions have been filed against the impugned order passed by the Tamil Nadu Medical Services Corporation Limited/ second respondent and an appeal has been preferred by the petitioner before the Chairman, Tamil Nadu Medical Services Corporation Ltd. Board-cum-Principal Secretary, Department of Health and Family Welfare, Government of Tamil Nadu, Chennai/first respondent .

3. Heard, Mr.P.Rameshkumar, learned counsel appearing for the petitioner and Mr.V.Shanmugasundar, learned Special Government Pleader appearing for the respondents.

4. It is stated that the appeal was filed on 16.12.2017 and the same has been pending for more than a year. Though the petitioner had sought for quashing of the impugned orders dated 07.12.2017 and 12.12.2017, the learned counsel appearing for the petitioner would submit that it would suffice to direct the Appellate Authority to consider the appeal and pass orders on merits.

5. Accordingly, the first respondent is directed to dispose of the appeal filed by the petitioner in No.JLPL/TNCO/1405 dated 16.12.2017 on merits and in accordance with law after affording an opportunity of hearing to the petitioner as well as the persons interested in this regard, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above directions, these writ petitions are disposed of. No Costs. Consequently, connected miscellaneous petitions are closed.

s/d-

Assistant Registrar (CO)

True Copy

Sub-Assistant Registrar

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To

1.The Chairman,
Tamil Nadu Medical Services Corporation Ltd.,
Board-cum-Principal Secretary,
Department of Health and Family Welfare,
Government of Tamil Nadu,
Chennai - 600 008.

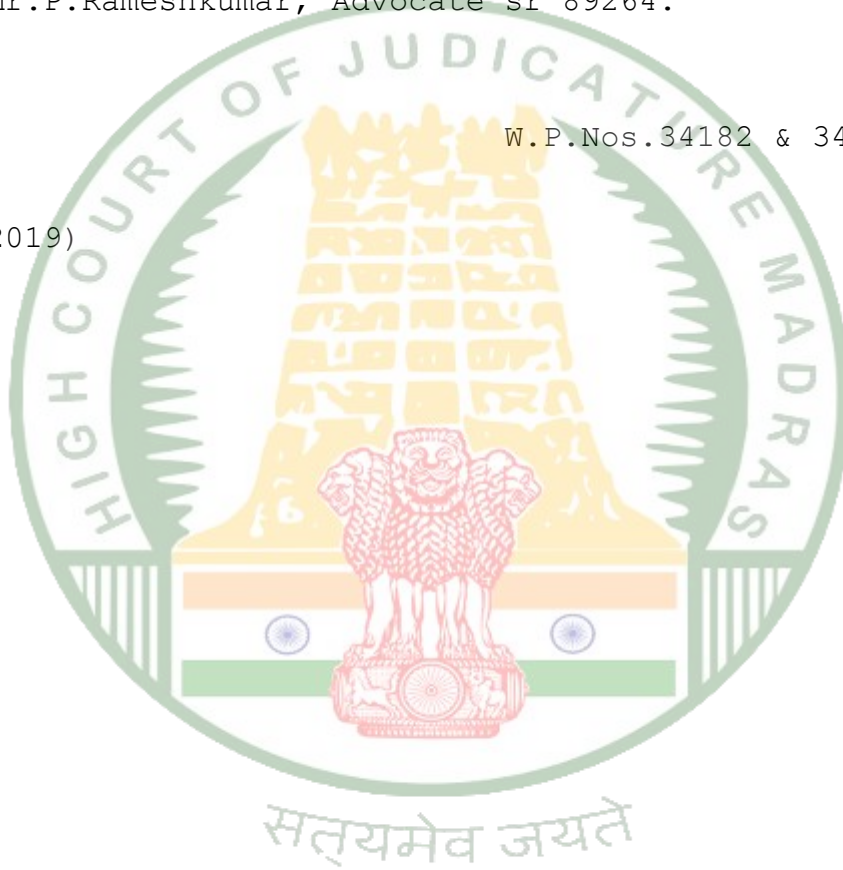
2.The Managing Director,
Tamil Nadu Medical Services Corporation Ltd.,
(A Government of Tamil Nadu Undertaking)
No.147, Pantheon Road, II Floor,
Egmore, Chennai - 600 008.

3.General Manager (Drugs),
Tamil Nadu Medical Services Corporation Ltd.,
No.147, Pantheon Road, II Floor,
Egmore, Chennai - 600 008.

+1 CC to Mr.P.Rameshkumar, Advocate sr 89264.

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VGI (CO)
SP(23/01/2019)



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