



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD) No.21337 of 2017

WEB COPY

M/s.Vignesh Blood Bank,
rep., by its Manager,
A.Babu Devaraj

... Petitioner

(cause title amended vide Court order
dated 29.11.2018 in W.M.P(MD).No.14624 of 2018)

Vs

1.The Director of Drug Control
Tamil Nadu, Chennai-600 006.

2.The Assistant Director of Drug Control
Madurai Zone, Madurai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records in D.DIS No.17745/02/1/2012 dated 05.09.2017 issued by the first respondent and quash the same and further direct the first respondent to renew the licence in Form 28C for the period from 01.01.2008 to 31.12.2012 and 01.01.2013 to 31.12.2017.

For Petitioner : Mr.S.Vijayakumar
For Respondents : Mr.M.Karuppasamy
Government Advocate

ORDER

Heard the learned counsel on either side.

2. The petitioner is the Manager of one M/s.Vignesh Blood Bank being run at Door No.101, Sivagangai Road, Madurai. It is admitted that the license was issued for the said Blood Bank way back in the year 1997. While so, the first respondent issued a show cause notice dated 21.07.2017 pointing out some defects in the running of the Blood Bank. Unfortunately, the show cause notice did not elicit any reply from the writ petitioner or the Proprietor of the Blood Bank. Therefore, the impugned order dated 05.09.2017 was passed declining to renew the license. This order is questioned in this writ petition.

3. The learned counsel appearing for the writ petitioner informs the Court that due to reasons beyond their control, the show cause notice was not replied to.

4. I am of the view that the petitioner can be permitted to submit a fresh application for renewal. The petitioner shall rectify all the defects indicated in the impugned order dated 05.09.2017. Thereupon, the first respondent shall cause inspection



of the Blood Bank through the second respondent. If the first respondent is satisfied that all the defects have been set right, the first respondent shall issue an order for renewal of the license. The petitioner states that he would set right all the defects and submit an appropriate application for renewal to the first respondent within a period of one week. The inspection of the petitioner's premises shall be concluded within a period of four weeks, thereafter. The orders shall be passed by the first respondent on the petitioner's application for renewal within a period two weeks, thereafter.

5. The Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar

To

1.The Director of Drug Control
Tamil Nadu, Chennai-600 006.

2.The Assistant Director of Drug Control
Madurai Zone, Madurai.

+2 CC to M/s.S.VIJAYAKUMAR, Advocate (SR-55397[F] dated
20/03/2019)

+1 CC to M/s.SPL GP (SR-55681[F] dated 21/03/2019)

W.P. (MD) No.21337 of 2017
20.03.2019

DS/ /SAR- (22.03.2019) 2P 6C