

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.7638 OF 2019

DATED :12-04-2019

Between :

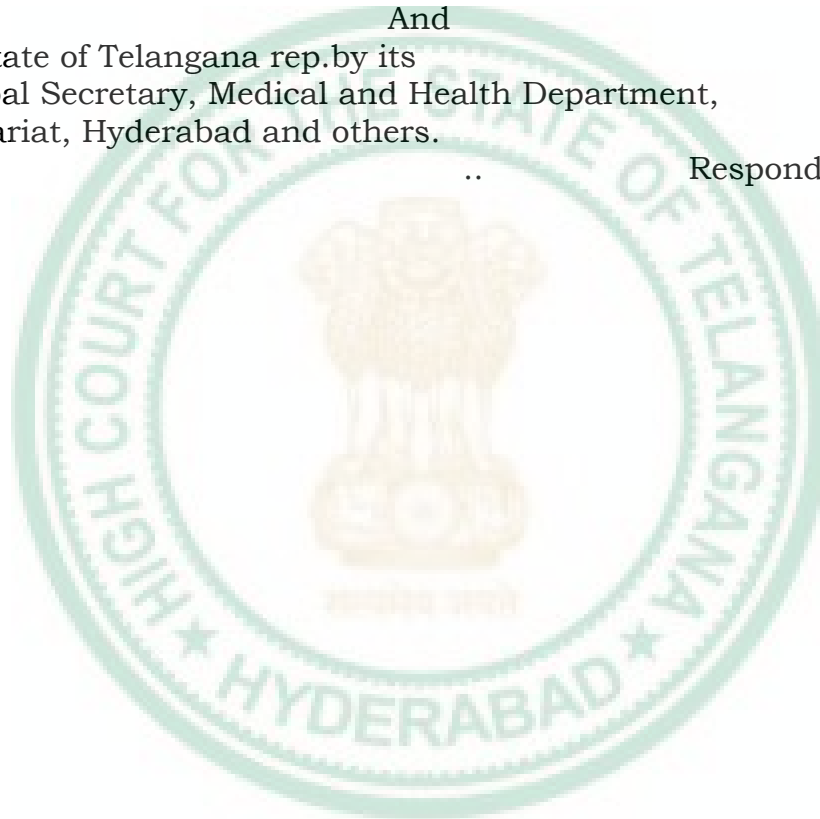
Malim Ishaq S/o.Malim Mohammed Sab,
Aged about 48 years,occ: Proprietor,
M/s.Shifa Medical and General Stores,
Shop No.1-4-30A1/2 Station Road, Gadwal,
Jogulamba Gadwal District, Telangana State.

.. Petitioner

And

The State of Telangana rep.by its
Principal Secretary, Medical and Health Department,
Secretariat, Hyderabad and others.

.. Respondents



This court made the following :

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ORDER :

According to petitioner, he is running medical shop for the last 20 years and was earlier attending to supply medicines to the needy people. In this writ petition, petitioner is aggrieved by the proceedings of Commissioner, Telangana Vaidya Vidhana Parishad, dated 31-10-2018 wherein a direction was issued to the Superintendent, District Head Quarters Hospital, Jogulamba Gadwal District to permit the 5th respondent-trust to take-up the construction of building to locate Generic Medical Store opposite to New OP Block attached to compound wall of Area Hospital, Gadwal, Jogulamba Gadwal District. No reasons are assigned in support of the prayer sought in the writ petition challenging said direction issued by the Commissioner. Merely because petitioner is also running medical shop, it has no right to challenge the administrative decision taken authorizing the 5th respondent to construct building to locate medical shop.

02. A reading of the order would show that in the year 2017, the 5th respondent was authorized to establish medical shop in the hospital and to locate the medical shop already authorized to him, building is proposed and permission is granted by these proceedings. Neither a new agreement is entered into nor fresh authorization is granted to the 5th respondent to establish medical shop. Thus, impugned proceedings do not give cause of action for the petitioner to invoke the jurisdiction of this Court and challenge the same in the writ petition.

03. Accordingly, this writ petition is dismissed leaving it open to work out his remedies on any other issue. Pending miscellaneous petitions, if any, shall stand closed.

12-04-2019
Nvl

P.NAVEEN RAO,J

