

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.P.No.7922 of 2020

P.Vijayan

.. Petitioner

Vs.

- 1.Union of India
Rep. by Secretary,
Ministry of Health & Family Welfare,
Government of India,
Nirman Bhavan, New Delhi - 110 011.
- 2.Indian Council of Medical Research (ICMR)
Ansari Nagar, New Delhi - 110 029.
- 3.State of Tamil Nadu,
Rep. by its Secretary to Government,
Health and Family Welfare Department,
Fort St.George, Chennai - 600 001.
- 4.Integrated Vaccines Complex,
Meleripakkam (Post), Thirumani Village,
Thirukazhukundram, Chengalpattu - 603 003. .. Respondents

Petition filed under 226 of the Constitution of India to issue a writ of mandamus directing the respondents to grant necessary license, adequate funds and all support to the Integrated Vaccines Complex (IVC) Chengalpattu and make optimal utilisation of this facility.

For Petitioner .. Mr.P.Vijayan -Petitioner in Person

For Respondents.. Ms.N.Mala for R2
Mr.G.K.Muthukumar
Spl. GP for R3
Mr.R.Sankaranarayanan,
Addl. Solicitor General for R4

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

This pro bono litigation has been filed by the petitioner, who is a practising advocate.

2. The sum and substance of the submission made by the petitioner is that the State Government will have to afford the license to the fourth respondent, which is a wholly owned Central Government undertaking.

3. Learned Additional Solicitor General appearing for the fourth respondent submitted that there is a difficulty in getting the permission from the patent holders and, therefore, the very license has not been sought for.

4. Learned Special Government Pleader appearing for the State submitted that inasmuch as no license has been sought for, the question of granting the same would not arise.

5. From the submissions made, the prayer as sought for cannot be granted. We may also note that a similar writ petition filed in W.P.No.7714 of 2020 has also been dismissed by this Court on 12.06.2020.

6. We are dealing with the manufacture of vaccination by the fourth respondent. Thus, looking from any perspective, the prayer sought for cannot be granted.

7. The writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CO)

//True copy//

Sub Assistant Registrar

mmi/ssm

To

1.The Secretary,
Ministry of Health & Family Welfare,
Government of India,
Nirman Bhavan, New Delhi - 110 011.

2.The Indian Council of Medical Research (ICMR)
Ansari Nagar, New Delhi - 110 029.

3.The Secretary to Government,
Health and Family Welfare Department,
Fort St.George, Chennai - 600 001.

4.Integrated Vaccines Complex,
Meleripakkam (Post), Thirumani Village,
Thirukazhukundram, Chengalpattu - 603 003.

W.P.No. 7922 of 2020

VSN II (CO)
GMY (31/07/2020)



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