



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.39508 of 2015 &
M.P.No.1 of 2015

S. Kesarimal

...Petitioner

versus

1. The Drugs Controller (India),
Directorate General of Health Services,
FDA Bhawan, Kotla Road,
ITO (Near Balbhavan),
New Delhi 100 002.

2. M/s. Mehta Vet Chem,
B-404, Kanara Business Center,
Laxmi Nagar, Ghatkopar (E),
Mumbai 400 077.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the first respondent to issue appropriate directions to the second respondent for issuance of Form 9 along with copy of form 41 for the import of the drug "INOSITOL".

For Petitioner : Mr. V.P. Raman

For Respondents : Mr.J. Madanagopal Rao, SCGSC

O R D E R

Heard both sides and perused the materials available on record.

2. The petitioner has come up with this Writ Petition for a Mandamus to the first respondent to issue appropriate directions to the second respondent for issuance of Form 9 along with copy of form 41 for the import of the drug "INOSITOL".



3. Admittedly, the issue involved herein is between the petitioner and the second respondent and the same necessarily be considered by the first respondent under the Drugs and Cosmetics Rules and hence, the direction sought against the 2nd respondent, who is a private party, cannot be considered by this court.

4. In such view of the matter, the Writ Petition stands dismissed leaving it open to the petitioner to work out his remedy before the authority concerned in the manner known to law. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

msr

To

The Drugs Controller (India),
Directorate General of Health Services,
FDA Bhawan, Kotla Road,
ITO (Near Balbhavan),
New Delhi 100 002.

+1CC to Mr.V.P.Raman, Advocate, Sr.No.42252

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LN (CO)
K.RK. (04.10.2021)