



W.P(MD)No.21255 of 2015

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.08.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.21255 of 2015

and

M.P(MD)No.1 of 2015

T.Ramesh Babu

... Petitioner

Vs

- 1.The Assistant Director of Drugs Control,
Madurai Zone,
Shenoy Nagar,
Madurai – 625 020.
- 2.The Drugs Inspector,
Madurai – I Range,
O/o.the Assistant Director of Drugs Control,
Shenoy Nagar,
Madurai – 625 020.
- 3.Loganathan
- 4.Somasundaram
***(R.3 & R.4 are impleaded vide order
of this Court dated 05.01.2015)***
- 5.Rajeswari
- 6.Banumathi
- 7.Anushya



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8.Jeyakodi

*(R.5 to R.8 are impleaded vide order
of this Court dated 25.07.2023)*

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned order in Na.Ka.No. 6880/A1/2015 dated 13.11.2015 passed by the first respondent and quash the same and consequently direct the first respondent to grant a licence to the petitioner's Medical Shop name and style of M/s. Ramesh Medical, situated at No. 71H, Munichalai road, Madurai-625 009.

For Petitioner : Mr.A.Balaji

For Respondents : Mr.D.Gandhiraj
Special Government Pleader
for R.1 & R.2

Mr.P.T.S.Narendravasan for R.4

Mr.D.Senthil for R.5 to R.8

No Appearance for R.3

ORDER

Heard both sides.

2. The petitioner's father applied to the second respondent for issuance of drug license so that he can carryon business in the petition mentioned premises. It is not in dispute that the petition mentioned premises originally



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belonged to one N.M.Sethuraman Chettiyar. He died leaving behind three sons, namely, S.Loganathan, S.Soma Sundaram and S.Thiyagarajan and four daughters. The petitioner is the son of S.Thiyagarajan. The property tax in respect of the petition mentioned premises stands in the names of legal heirs of the deceased N.M.Sethuraman Chettiyar. That is why the authority called upon the petitioner to furnish the basis on which he is in possession of the premises. Rule 65-A of the Drugs and Cosmetics Rules, 1945 is as follows:

“65-A. Additional information to be furnished by an applicant for licence or a licensee to the licensing authority. - The applicant for the grant of a licence or any person granted a licence under this Part shall, on demand, furnish to the licensing authority, before the grant of the licence or during the period the licence is in force, as the case may be, documentary evidence in respect of the ownership or occupation on rental or other basis of the premises, specified in the application for licence or in the licence granted, constitution of the firm, or any other relevant matter which may be required for the purpose of verifying the correctness of the statements made by the applicant or the licensee while applying for or after obtaining the licence, as the case may be.”

The demand made by the second respondent is in consonance with the statutory scheme. Interference is not warranted.



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3. This writ petition is dismissed. There shall be no order as to costs.

Consequently, connected miscellaneous petition is closed.

03.08.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

1.The Assistant Director of Drugs Control,
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Shenoy Nagar,
Madurai – 625 020.

2.The Drugs Inspector,
Madurai – I Range,
O/o.the Assistant Director of Drugs Control,
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G.R.SWAMINATHAN, J.

MGA

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