



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-06-2026

CORAM

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

WP No.21028 of 2026

and

WMP No.22724 of 2026

M.Chittibabu
Proprietor of M/s.Shankar Medical Stores and
Generals
39/A4, Opp. to Govt. Hospital
Denkanikottai Main Road
Hosur, Krishnagiri District 635109.

..Petitioner(s)

Vs

1. The Director of Drugs control
No.359, DMS Campus, Anna Salai
Teynampet, Chennai 600006.
2. The Assistant Director of Drugs Control /
Licensing Authority, Dharmapuri Zone
Dharmapuri.

..Respondent(s)

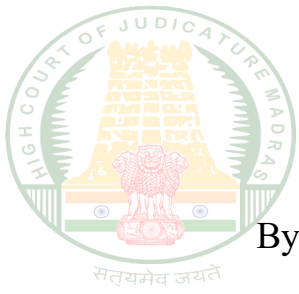
PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for a writ of Certiorarified Mandamus to call for the records pertaining to the impugned Cancellation Order passed by the 2nd respondent in K.Dis. No.1234/A2/DPRZ/2025 dated 27.05.2026 quash the same as illegal and consequently direct the respondents to permit the petitioner to operate his retail pharmacy based on his license.

For Petitioner(s):

Mr.Bala Ramesh
for Mr.D.Venkatachalam

For Respondent(s):

Mr.P.Elayaraj Kumar
Counsel for Government Side

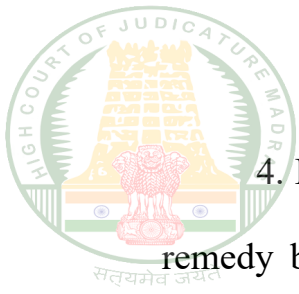


ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. The present writ petition is filed challenging the impugned proceedings dated 27.05.2026 whereby the drug licence was cancelled on the limited ground that the entire proceedings suffers from violation of principles of natural justice.

3. Learned counsel for petitioner would submit that a show cause notice was issued on 22.05.2026 setting out the reasons proposing to cancel the drug licence granted to the petitioner for running a medical store under the Drugs and Cosmetics Act, 1940. It is further submitted that the petitioner was directed to show cause within a period of three days and that the petitioner submitted a reply on 23.05.2026 stating that in case the respondents are not satisfied with the explanation given by the petitioner they may grant an opportunity of personal hearing to enable the petitioner to furnish the original records. However, the impugned order came to be passed without affording the petitioner a reasonable opportunity of hearing while rejecting the explanation offered by the petitioner to the show cause notice. It was thus submitted by the learned counsel for petitioner that if the petitioner was granted an opportunity of hearing, he would have submitted relevant documents and any further explanation in that regard.

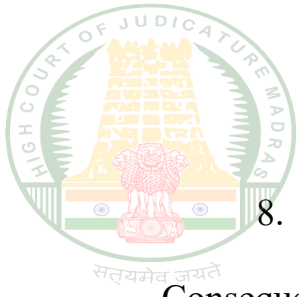


4. Learned counsel for respondents would submit that the petitioner has a remedy by way of an appeal to the Government under Section 66(2) of the Drugs and Cosmetics Act, 1940.

5. While it is true that this Court would be loathe in interfering under Article 226 of the Constitution of India where there is an alternative remedy however there are well-settled exceptions to rule of alternative remedy, one such exception is where the order is made in violation of principles of natural justice.

6. This Court finds that the impugned proceedings has been issued in great haste. It is trite that haste tends to arbitrariness, furthermore, petitioner's request for personal hearing has not even been considered. This Court finds merit in the submission of the learned counsel for petitioner that the impugned order suffers from violation of principles of natural justice.

7. In view thereof, impugned order is set aside, respondents are directed to re-consider and pass orders afresh after affording the petitioner a reasonable opportunity of hearing. The above exercise shall be completed within a period of four (4) weeks from the date of uploading of web copy without waiting for receipt of certified copy of the order.



8. Accordingly, the writ petition stands disposed of. No costs.

Consequently, the connected Miscellaneous Petition is closed.

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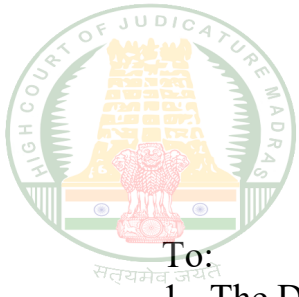
04-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MKA



To:

1. The Director of Drugs Control,
No.359, DMS Campus, Anna Salai
Teynampet, Chennai 600006.
2. The Assistant Director of Drugs Control / Licensing Authority
Dharmapuri Zone,
Dharmapuri.



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MOHAMMED SHAFFIQ J.

MKA

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