

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

WEDNESDAY, THE TWENTY SEVENTH DAY OF MAY
TWO THOUSAND AND TWENTY

: PRESENT:

THE HON'BLE THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN
AND
THE HON'BLE SRI JUSTICE B.VIJAYSEN REDDY
WP(PIL). No. 98 OF 2020

Between:

A Seetharam Babu, Occ. Pharmacist, R/o 1-10-217/B, Ashoknagar, Hyderabad 500020

Petitioner

AND

1. Union of India, represented by its Secretary, Ministry of Drugs Control Administration, New Delhi
2. The State of Telangana, represented by its Chief Secretary, Secretariat, Hyderabad.
3. The State of Telangana, represented by its Principal Secretary, Health Medical and Family Welfare, Secretariat, Hyderabad.
4. The Commissioner of Health and Family Welfare Department, Government of Telangana, Hyderabad.
5. The Commissioner, Telangana Vidya Vidana Parishad, Hyderabad.
6. The Director Institute of Preventive Medicine, Public (Health) Lab and Food (Health) Administration Department, Narayanaguda, Hyderabad.
7. The Director Drugs Control Administration, Hyderabad.

Respondents

WHEREAS the Petitioner above named through his Letter dated 13.05.2020 sent by the petitioner through email presented this petition under Article 226 of the Constitution of India, the High Court may be pleased to issue an appropriate Writ, Order or Orders more particularly one in the nature of Writ of Mandamus to call for remarks and records from the respondents herein relating to non-implementation of various provisions of Drugs and Cosmetics Act and Pharmacy Act as most of the Chemists & Druggists stores are run in the absence of a recognized Pharmacist and most of the medicines are supplied without interpreting the prescription of the Doctor by impersonating as a Pharmacist and endangering the health of the Patient and that the medicines are sold without implementing section 42 of Pharmacy Act and Rules 65(1&2) of Drugs & Cosmetics Act as every licensed Pharmacist must report to their respective Drugs Inspector electronically, either by taking a photo from the licensed store, or sending the same along with the location by biometric reporting as is being done at Ration Shop PDS(both log in & log out), consequently to direct the Respondents to issue necessary orders for strict implementation of Rules regarding selling of H1 and other drugs only against prescription and also following the guidelines for preserving and forwarding the evidence to the concerned and to direct the Drugs Inspectors to examine the record as per Section 22 of Drugs and Cosmetics Act;

AND WHEREAS the High Court upon perusing the petition and letter sent through email and upon hearing the arguments of Sri Namavarapu Rajesh Rao, who accepts notice for the respondent No. 1 and Sri B. S. Prasad, Advocate General who accepts notice for the respondent Nos. 2 to 4, directed issue of notice to the Respondent Nos. 5, 6 and 7 returnable within two weeks herein to show cause as to why this PUBLIC INTEREST LITIGATION should not be admitted.

You viz:

1. The Commissioner, Telangana Vidya Vidana Parishad, Hyderabad.
2. The Director Institute of Preventive Medicine, Public (Health) Lab and Food (Health) Administration Department, Narayanaguda, Hyderabad.
3. The Director Drugs Control Administration, Hyderabad.

are directed to show cause as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this PUBLIC INTEREST LITIGATION should not be admitted. The Court made the following

ORDER:

Mr. N. Rajeshwar Rao, the learned Assistant Solicitor General, accepts notice on behalf of respondent No.1. Mr. B.S. Prasad, the learned Advocate General, accepts notice on behalf of respondent Nos. 2 to 4.

Issue notice to respondent Nos. 5, 6 and 7, returnable within two weeks.

List this case after two weeks.

//TRUE COPY//

**Sd/-I. NAGA LAKSHMI
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. The Commissioner, Telangana Vidya Vidana Parishad, Hyderabad.
2. The Director Institute of Preventive Medicine, Public (Health) Lab and Food (Health) Administration Department, Narayanaguda, Hyderabad.
3. The Director Drugs Control Administration, Hyderabad.
(Addressees 1 to 3 by RPAD along with a copy of petition and affidavit)
4. Two CC to Advocate General, High Court, Hyderabad (OUT)
5. One CC to Sri Namavarpu Rajeshwar Rao, Assistant Solicitor General, High Court, Hyderabad (OPUC)
6. Two spare copies

Csk

HIGH COURT

HCJ
&
BVRJ

DATED:27/05/2020

NOTE: LIST THIS CASE AFTER TWO WEEKS

NOTICE BEFORE ADMISSION

WP(PIL).No.98 of 2020

