

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

THURSDAY, THE 6TH DAY OF AUGUST 2015/15TH SRAVANA, 1937

WP(C).No. 11765 of 2015 (U)

PETITIONER(S):

**M/S.SAFETY FOODS (PVT.) LTD.,
TIRUR ROAD, KOTTAKKAL, PIN-676503
REPRESENTED BY ITS MANAGING DIRECTOR SRI.V.K. ABOOBACKER
AGED 49 YEARS,RESIDING AT VETTANAMKADAVATH HOUSE,
ALLOOR, MYLADIYIL,
TIRUR TALUK, MALAPPURAM DISTRICT, PIN-676 551.**

**BY ADVS.SRI.SANTHOSH SUBRAMANIAN
SRI.E.A.THANKAPPAN
SRI.SHERRY J. THOMAS
SRI.S.SREEKUMAR(NORTH PARAVUR)**

RESPONDENT(S):

- 1. UNION OF INDIA,
REPRESENTED BY ITS SECRETARY,
MINISTRY OF HEALTH AND FAMILY WELFARE,
NEW DELHI-110107.**
- 2. FOOD SAFETY AND STANDARDS AUTHORITY OF INDIA,
NEW DELHI-110 107,
(REPRESENTED BY ITS MEMBER SECRETARY, F.S.S.A.I.,
NEW DELHI-110 107).**
- 3. STATE OF KERALA,
REPRESENTED BY ITS CHIEF SECRETARY,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.**
- 4. COMMISSIONER OF FOOD SAFETY FOR STATE OF KERALA,
THIRUVANANTHAPURAM-695 014.**
- 5. ASSISTANT COMMISSIONER OF FOOD SAFETY
FOR MALAPPURAM DISTRICT,
CIVIL STATION, MALAPPURAM-676 505.**

**R1 & R2 BY ADV. SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL
R3 TO R5 BY GOVERNMENT PLEADER SMT.C.K.SHERIN**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
06-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 11765 of 2015 (U)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1. TRUE COPY OF THE LICENSE ISSUED UNDER FSS ACT.

**EXT.P2. TRUE PHOTOCOPY OF THE COMPANY'S PRODUCTS AS DECLARED IN ITS
LABEL DECLARATION.**

EXT.2A. THE TRUE COPY OF THE RAGI POWDER MIX LABEL.

EXT.P2B.TRUE COPY OF THE LABEL DECLARATION OF KANNANKAYA POWDER MIX.

EXT.P2C. TRUE COPY OF THE LABEL DECLARATION OF WHEAT BANANA.

EXT.P3. TRUE COPY OF THE PROHIBITION ORDER DATED 26-3-2015.

EXT.P4. TRUE COPY OF THE FOOD ANALYST REPORTS DATED 24-12-2014.

EXT.P5. TRUE COPY OF THE LEGAL REPRESENTATION.

EXT.P6. TRUE COPY OF AID CARD DATED 30-3-2015.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msv/

K. VINOD CHANDRAN, J.

W.P(C). No.11765 of 2015

Dated this the 6th day of August, 2015.

JUDGMENT

The petitioner was before this Court challenging Ext.P3 order, however the petitioner had also filed a statutory appeal from the stay order, which is said to have been rejected now, after filing of the writ petition.

In such circumstances, the petitioner would have to challenge the said Appellate Order as provided in the Food Safety and Standards Act, 2006.

The writ petition is closed, leaving open such remedy.

**K. VINOD CHANDRAN,
JUDGE**

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