

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2015

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND

The Hon'ble MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P. No.36511 of 2015

K.Chinnaiyan

...Petitioner

-vs-

1. The District Collector,
District Collector Office,
Tiruvannamalai & District.
2. The Commissioner of Food Safety
and Drug Administration,
5th Floor, DMS Office Building,
Chennai-6.
3. The Secretary,
Health and Family Welfare,
Secretariat, Chennai -9.
4. V.Alaguraja
The Designated Officer,
Office of the Deputy Director of Health Service,
314, Ezhil Nagar,
Old Collectorate Bangalow,
Vengikal, Thiruvannamalai - 606 604.
5. The Food Safety Officer,
Thiruvannamalai Rural,
Thiruvannamalai District.

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6. The Food Safety Officer,
Thiruvannamalai Town,
Thiruvannamalai District.

7. Joint Commissioner / Executive Officer,
Arulmigu Arunachaleswarar Temple,
Thiruvannamalai - 606 601.

...Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 2nd and 3rd respondents to take appropriate action against erring Designated Officer, the 4th respondent and constitute a Committee headed by 1st respondent along with the 2nd, 3rd and 7th respondents to ensure safety hygienic food at the time of the Mahadeepam Festival at Thiruvannamalai in and around the temple for 14 Km stretch of Girivala pathway.

For Petitioner : Mr.S.Senthamil Selvan

For Respondents : Mr.S.T.S.Murthi,
Govt. Pleader, for RR 1, 3 & 4

Ms.Yasmeen Ali, for RR 2, 5 & 6

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The present Public Interest Litigation is clearly a Proxy litigation initiated at the behest of third party, which is a restaurant / hotel claiming licence, which has not been granted and seeking to pressurise the officer concerned through the process of this Private Interest Litigation. If the aggrieved party claims that it is entitled to a licence on completion of all formalities, it is for that party to approach the Court through proper legal proceedings challenging the denial of licence and not trying to give it a colour of Public Interest Litigation.

2.We caution the petitioner not to make such endeavours in future, otherwise we will have no option but to bar further endeavour of the petitioner through the legal process.

3.Writ Petition stands dismissed. No costs.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

sra

To

1. The District Collector,
District Collector Office,
Tiruvannamalai & District.
2. The Commissioner of Food Safety
and Drug Administration, 5th Floor,
DMS Office Building, Chennai.
3. The Secretary,
Health and Family Welfare,
Secretariat, Chennai.
4. The Designated Officer,
Office of the Deputy Director of Health Service,
314, Ezhil Nagar, Old Collectorate
Bangalow, Vengikal, Thiruvannamalai.
5. The Food Safety Officer,
Thiruvannamalai Rural,
Thiruvannamalai District.
6. The Food Safety Officer,
Thiruvannamalai Town,
Thiruvannamalai District.

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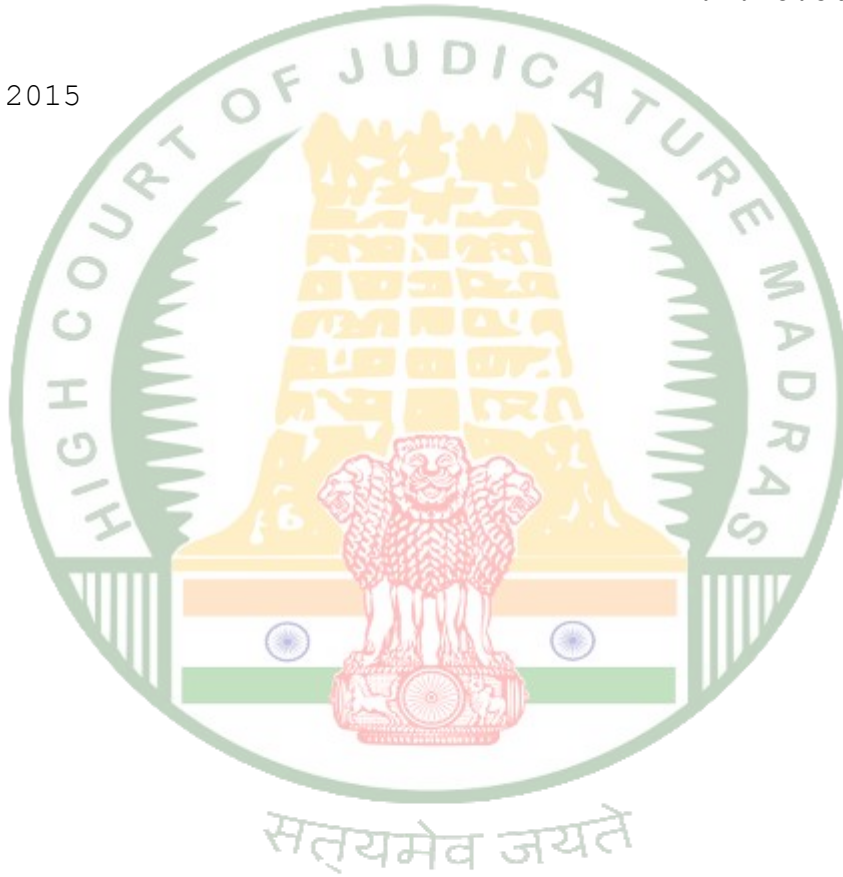
7. Joint Commissioner / Executive Officer,
Arulmigu Arunachaleswarar Temple,
Thiruvannamalai - 606 601.

1CC to Mr.S. Senthamil Selvan, SR 62144

1CC to Govt. Pleader, SR 62355

W.P.No.36511 of 2015

VGI [CO]
PSI 26.11.2015



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