

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2015

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH

W.P.No.37032 of 2015
and M.P. Nos.1 and 2 of 2015

1.S.Prabakaran

2.M/s.Winstar Traders,
rep. by its Proprietor,
No.11, Siva Towers,
Royal Garden Arch,
Opp. to ARRS Multiplex,
Salem 636 004. ... Petitioners

Vs.

1.The Commissioner,
Food Safety Department,
No.359, Anna Salai,
DMS Complex,
Teynampet,
Chennai 600 006.

2.The Authorized Officer/
Food Safety Officer,
Office of the District Food Safety Officer,
Old Nattamai Building Complex,
Salem-1. ... Respondents

Prayer:Petition filed under Article 226 of The Constitution of India praying to issue a writ of certiorarified mandamus calling for the records relating to the impugned order of the second respondent in Na.Ka.No.652/VuPa/2015 dated 14.09.2015 along with Food Analyst Report dated 10.09.2015 quash the same and consequently direct the respondents herein to permit the petitioners to continue their manufacture and sale of "Baanam Amla Health Drink" as per the report of Food Analyst No.PVT216/2015-16 dated 16.10.2015 within a reasonable time.

For Petitioners : Mr.R.C.Paul Kanagaraj for
Mr.R.Rajesh Vivekananthan

For Respondents : Mr.R.A.S.Senthilvel,
Additional Government Pleader

O R D E R

By the order dated 14.09.2015, the second respondent directed the petitioner to rectify the defects pointed out and to file its report. Till such time, the petitioner was advised not to go with the sale.

2. Heard the learned counsel for the petitioner as well as the learned Additional Government Pleader.

3. The learned counsel for the petitioner submitted that in pursuant to the same, the defects have been rectified and report of the Tamil Nadu FSSAI Food Analysis Laboratory, Guindy has been filed. Further, it is submitted that in spite of the same, no final order has been passed.

4. The impugned order itself is worked out. Admittedly, 15 days period mentioned therein, has expired long time back. The petitioner has also given its representation dated 28.09.2015, followed by the report of the Tamil Nadu FSSAI Food Analysis Laboratory, Guindy dated 16.10.2015.

5. Considering the above, the writ petition stands disposed of, by directing the second respondent to pass appropriate orders on the representation of the petitioner dated 28.09.2015, within a period of four weeks from the date of receipt of a copy of this order. Consequently, connected Miscellaneous Petitions are also closed. No costs.

DP

Sd/-

Assistant Registrar (CS-V)

/True Copy/

Sub-Assistant Registrar

To

1. The Commissioner,
Food Safety Department,
No.359, Anna Salai,
D.M.S Complex,
Teynampet,
Chennai 600 006.

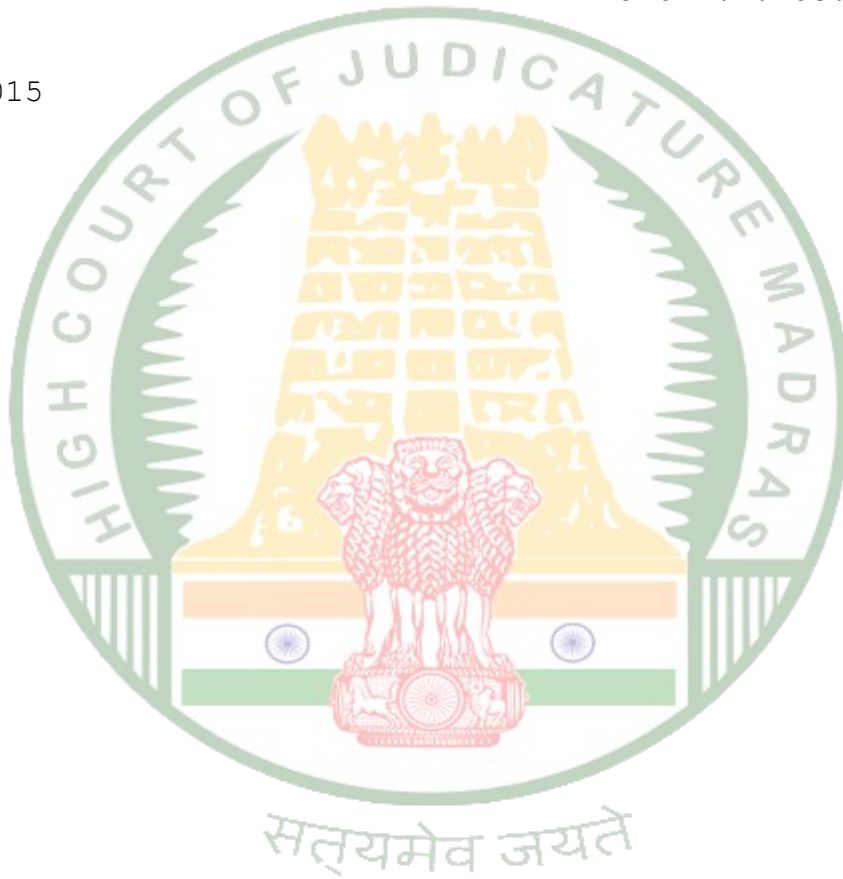
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2. The Authorized Officer/
Food Safety Officer,
Office of the District Food Safety Officer,
Old Nattanmai Building Complex,
Salem-1.

+1 C.C. To The Government Pleader in SR.NO.69670

W.P.No.37032 of 2015
and M.P.Nos.1 & 2 of 2015

SV(CO)
sd : 30/12/2015



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