

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2016

CORAM :

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

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.14118 of 2012

Chamber of Tamil Nadu Food Product
Merchants Welfare Association,
Rep. By its Secretary, B.Pichaimuthu. ... Petitioner

-vs-

1.Union of India,
Rep. By its Secretary to Government,
Ministry of Health and Family Welfare,
Nirman Bhavan, New Delhi 110 011.

2.The Commissioner of Food Safety of
Tamil Nadu, DMS Campus,
Teynampet, Chennai 600 006.

3.The Food Safety and Standards Authority
of India, Rep. By its Director
(Administration), FDA Bhavan,
Kotla Road, New Delhi 110 022.
(R-3 suo motu impleaded as per order
dt.18.6.2012 in WP.14118/2012)

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Declaration to declare that the provisions of Regulations framed by Food Safety and Standards Authority of India framed under Section 92 of Act 34 of 2006 namely: Regulations 1.2.4 in Chapter I, 2.1 in Chapter II, 5.1 in Part II of Schedule IV, 7 in Part II of Schedule IV of The Food Safety and Standards (Licensing and Registration of Food Businesses) Regulations, 2011; Regulation 2.2.2 of The Food Safety and Standards (Packaging and Labelling) Regulations, 2011; and Regulations of The Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011 as unconstitutional, ultra vires, illegal, unreasonable and arbitrary.

For Petitioner : Mr.G.Sankaran
For Respondents : Mr.Venkatasamy Babu, SPCG/R-1
: M/s.M.H.Yasmeen Ali for RR 2 & 3

O R D E R

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

A batch of writ petitions challenging certain provisions of the Food Safety and Standards Act, 2006 and the Rules and Regulations framed thereunder has already been disposed of vide order dated 13.04.2016 in W.P.No.22470 of 2012, etc. recording that the Government of India has already constituted a Committee to undertake a comprehensive review of the said Act.

2.The present writ petition is, thus, disposed of in terms of the order passed in W.P.No.22470 of 2012, etc. batch decided on 13.04.2016. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

sra

To

1.The Secretary to Government of India,
Ministry of Health and Family Welfare,
Nirman Bhavan, New Delhi 110 011.

2.The Commissioner of Food Safety of
Tamil Nadu, DMS Campus,
Teynampet, Chennai 600 006.

3.The Director (Administration),
Food Safety and Standards Authority
of India, FDA Bhavan,
Kotla Road, New Delhi 110 022.

W.P.No.14118 of 2012

CA[CO]
SRG 05/08/2016