

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2016

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.3974 of 2013
and M.P.1 & 2 of 2013

K.V.Suresh

.. Petitioner

Versus

1. The District Collector,
Coimbatore District
Coimbatore.

2. Designated Officer,
Tamil Nadu Food Safety and
Drug Administration (Food Safety Wing)
No.219, Race Course Road,
Coimbatore - 18
Coimbatore District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, pleaded to issue a writ of mandamus or any other appropriate writ or order or direction in the nature of a writ directing the respondents herein to permit the petitioner to open and operate his godown premises at No.5, 100 feet road, 3rd street, Gandhipuram, Coimbatore.

For Petitioner : Mr.M.Santhanaraman

For Respondents : Mrs.M.E.Raniselvam,
Addl.Govt.Pleaderfor R1
No appearance for R2

O R D E R

The prayer in the writ petition is for writ of mandamus or any other appropriate writ or order or direction in the nature of a writ directing the respondents herein to permit the petitioner to open and operate his godown premises at No.5, 100 feet road, 3rd street, Gandhipuram, Coimbatore.

2. Heard Mr.M.Santhanaraman, learned counsel appearing for the petitioner and Mrs.M.E.Raniselvam, Additional Government Pleader, appearing for the first respondent.

3. The grievance of the petitioner is that, his Tea product in his custody was seized by the respondents and sample for chemical analysis were taken in his absence. Hence he sent a representation dated 22.01.2013 to the respondents requesting them to take samples from the godown in his presence or in the presence of any individual witnesses and thereafter send the same for chemical analysis. Since the respondents had not acted upon the representation made by the petitioner, the present writ petition is been filed.

4. Though the petitioner has sought for a direction to the respondents herein to permit the petitioner to open and operate his godown premises at No.5, 100 feet road, 3rd street, Gandhipuram, Coimbatore, the learned counsel appearing for the petitioner would submit that he would be satisfied if his representation dated 22.01.2013 seeking for drawing of samples in his presence or in presence of any individual witnesses is considered.

5. The learned Additional Government Pleader would also submit if that such direction is given the same would be complied with. Under such circumstances there shall be a direction to the second respondent to consider the petitioner's representation dated 22.01.2013 and on its own merits and pass appropriate orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order. The petitioner is also directed to give a copy of his representation along with this order.

6. Accordingly this writ petition is disposed of. No costs. Connected Miscellaneous Petitions are also closed.

Sd/-

सत्यमेव जयते
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

dpq

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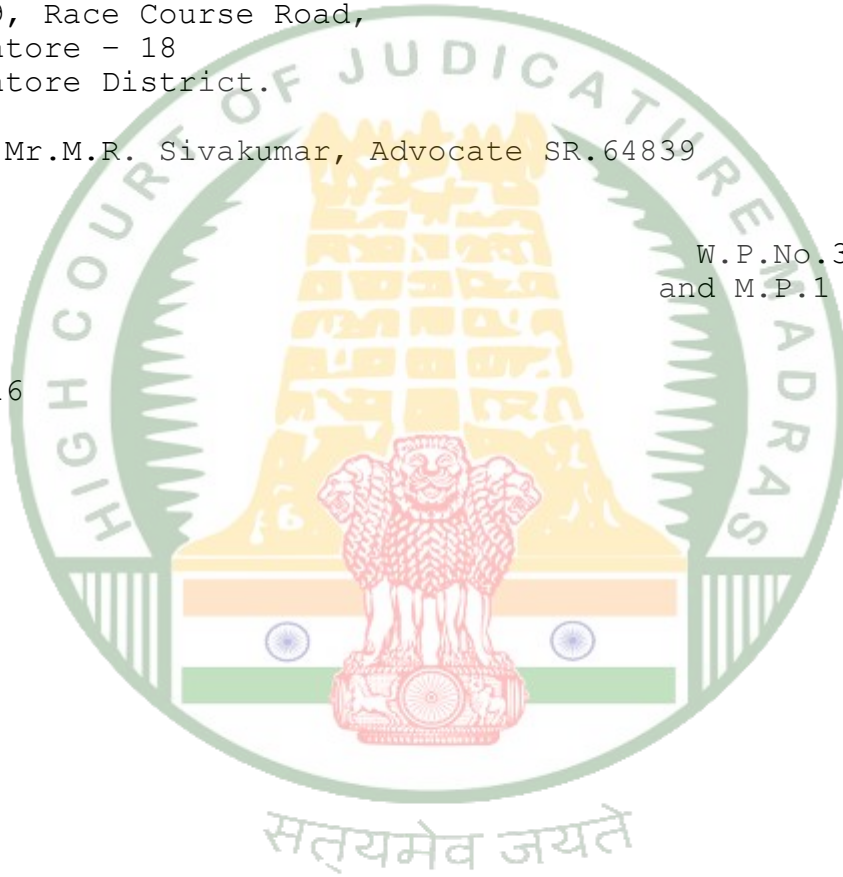
To

1. The District Collector,
Coimbatore District
Coimbatore.
2. Designated Officer,
Tamil Nadu Food Safety and
Drug Administration (Food Safety Wing)
No.219, Race Course Road,
Coimbatore - 18
Coimbatore District.

+ 1 cc to Mr.M.R. Sivakumar, Advocate SR.64839

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AK(CO)
EU 10.12.16



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