

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.01.2016

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
THE HON'BLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.840 of 2016
and
WMP.Nos.661 & 662 of 2016

R.Prem Kumar .. Petitioner

vs

1.The Secretary to the Government of Tamil Nadu,
Health & Family Welfare Department,
The Secretariat,
Fort St. George,
Chennai-600 009.

2.The Commissioner of Food Safety,
The Department of Food Safety,
5th Floor, DMS Office Building,
No.259, Anna Salai,
DMS Campus,
Teynampet, Chennai-600 006.

3.Hindustan Coca Cola Beverages Pvt. Ltd.,
rep. by its Managing Director,
B-91, Mayapuri Industrial Area,
Phase-1, New Delhi-110 064.

4.South India Bottling Company Pvt. Ltd.,
rep. by its Managing Director,
B163-170, Sipcot Industrial Growth Centre,
NH-7, Gangai Kondan Village,
Tirunelveli District,
Tamil Nadu-627 352.

5.Reliance Market,
A Division of Reliance Retail Ltd.,
rep. by its Managing Director,
Door No.83/1, Thiruneer Malai Road,
Nagalkeni,
Chennai-600 086.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents 1 and 2 to initiate necessary and severe action as against the respondents 3 to 5 on the basis of the petitioner's (through counsel) representation dated 10.12.2015, including the banning of the products of the 3rd respondent bottled by the 4th respondent.

For Petitioner .. Mr.S.Anil Sandeep

For Respondents.. Mr.STS.Moorthy
Government Pleader for R1

O R D E R

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

This is not a petition to be entertained as public interest litigation and is only an endeavour before us to give publicity for the petitioner. If truly the petitioner is aggrieved by any external particles being found in the product, an aspect which has been traversed in the reply notice stating that the product is tampered due to an external force, appropriate proceedings under the Consumer Protection Act or for damages etc. as per law can be availed of by the petitioner.

2. The writ petition is dismissed. No costs. Consequently, WMP.Nos.661 and 662 of 2016 are closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

To

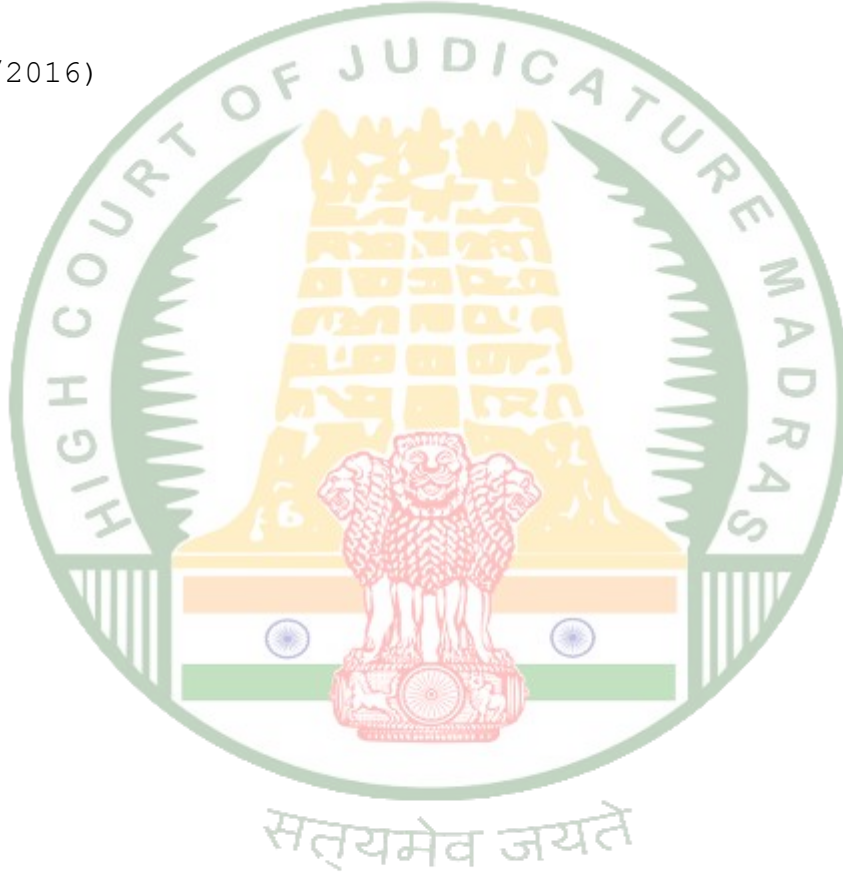
- 1.The Secretary to the Government of Tamil Nadu,
Health & Family Welfare Department,
The Secretariat,
Fort St. George,
Chennai-600 009.

2.The Commissioner of Food Safety,
The Department of Food Safety,
5th Floor, DMS Office Building,
No.259, Anna Salai,
DMS Campus,
Teynampet, Chennai-600 006.

+1cc to Mr.S.Anil Sandeep, Advocate, S.R.No. 2564
+1cc to The Government Pleader sr.2328

W.P.No.840 of 2016

msm(CO)
srg(27/01/2016)



WEB COPY