



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.08.2016

CORAM

THE HONOURABLE **MR. JUSTICE T. RAJA**

W.P(MD) .No.14822 of 2016

AND

WMP (MD) NO.10958 of 2016

S.Prasadh

... Petitioner

Vs

1.The District Collector,
Theni District, Theni.

2.The Designated Officer,
Food Safety Department,
Theni.

3.The Food Safety Officer,
Theni circle, Theni

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the respondents to permanently unseal the petitioner's shop I.e.Rural Retail Network at Kushi Complex, Mullai Nagar, Aranmanai Pudur, Theni and forbearing from interfering with day today business of the petitioner without following due process of law.

For petitioner	:Mr.A.Thirumoorhty for M/s.T.Sakthikumaran
For Respondents	: Mr.A.Muthukaruppan Additional Government Pleader

ORDER

The petitioner is running a shop in the name and style of "Naren Outsourcing Info Trading and Solutions" at Kushi Complex, Mullai Nagar, Aranmanai Pudur, Theni, where, he sells traditional, organic, health care products / supplements / country drugs manufactured by "Pathanjali" and "Isha Yoga Centre". While so, on 08.07.2016, the second and the third respondents visited the shop of the petitioner and sealed the same on the ground that the petitioner had sold narcotic chocolate and seized samples from the godown maintained by the petitioner.



2. Learned counsel for the petitioner submitted that although the petitioner has got valid grounds, he would be satisfied atleast if the representation of the petitioner, dated 15.07.2016, is directed to be disposed of by the authority within a reasonable time.

3. Learned Additional Government Pleader, by stating that it is a sensitive matter, has sought for time to file a detailed counter.

4. Considered the rival submissions made on either side and perused the materials available on record.

5. Be that as it may, since the petitioner now seeks only a direction to consider his representation, this Court deems it fit and proper to issue a direction to the respondents to consider the representation of the petitioner dated 15.07.2016.

6. Accordingly, this Writ Petition is disposed of, directing the respondents to dispose of the representation, dated 15.07.2016, on merits and in accordance with law and pass appropriate orders, in the light of the notice issued, which is annexed at page No.10 of the typed set of papers, within a period of one week from the date of receipt of a copy of this order. It is made clear that this Court has not touched upon the merits of the matter and this order should not be construed as giving any positive direction to the respondents, who shall independently, decide the matter, in accordance with law. The petitioner is also directed to send the representation, although already sent to the respondents, along with a copy of this order, for further follow up. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AS)

/True copy/

Sub Assistant Registrar

To

- 1.The District Collector, Theni District, Theni.
- 2.The Designated Officer, Food Safety Department, Theni.
- 3.The Food Safety Officer, Theni circle, Theni

+1 cc to M/s.T.Sakthikumaran, Advocate in SR.No.44179

ssm

CSL/SK-SKN/SAR-Iii/30.08.2016: 2p/5c

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