

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2017

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

Contempt Petition No.1529 of 2017

M/s.AGL Transports Pvt., Ltd.,
rep. by its Authorized Signatory,
Jaiveer singh, Having its Office at
No.61, Nattu Pillaiyar Koil Street,
Chennai-600 001. Petitioner

Vs.

Mr.Senthil Kumar, The Designated Officer,
Food & Safety, Vellore District,
5th Floor, 'A' Block Collectorate,
Sathuvachari, Vellore-632 009. Respondent

Petition filed under Section 11 of the Contempt of
Courts Act praying to punish the respondent suitably for
their acts in contumacious violation of the order of this
Court passed in W.P.No.29370 of 2015 dated 08.09.2016 which
amount to deliberate disobedience.

For Petitioner : Mr.D.Saikumar

For Respondent : Mr.K.U.Dhanabalan
Special Government Pleader

O R D E R

Heard Mr.D.Saikumar, learned counsel appearing for
the petitioner and Mr.K.U.Dhanabalan, learned Special
Government Pleader appearing for the respondent.

2.The petitioner has filed this contempt petition alleging wilful disobedience of the order dated 08.09.2016, made in W.P.No.29370 of 2015. The reason for issuing notice to the respondent in this contempt petition was after taking note of the submission that in respect of another similar order in W.P.No.34737 of 2015, directions were issued and the respondent has complied with the directions and the consignment has been released.

3.Learned Special Government Pleader appearing for the respondent submitted that the Hon'ble Supreme Court has passed an order in the case of *Central Arecanut Marketing Copn. & others vs. Union of India*, dated 23.09.2016, and all the State Governments have been directed to file reports and in the light of the same, if the product is a banned product, the same cannot be released. Further, it is submitted that the same M/s.AGL Transports P. Ltd. has filed another writ petition, which was disposed of on similar lines and when the contempt petition was filed, the Court held that in the light of the directions issued by the Hon'ble Supreme Court, dated 23.09.2016, the question of releasing the product does not arise.

4.As pointed out by the learned Special Government
<https://hcservices.ecourts.gov.in/hcservices/>
Pleader, it is the petitioner's own admission that the

goods were consigned to Karnataka from Delhi. But, the petitioner admits that the goods were off loaded in Chennai and loaded to be re-packed. Hence, the goods are not liable for being released. These facts and circumstances were not placed before this Court when the similar writ petition was disposed of and the order passed by the Hon'ble Supreme Court was subsequent to the order passed by this Court in the said writ petition. Therefore, the Court was inclined to dismiss the contempt petition. At this Stage, learned counsel for the petitioner requests to withdraw the contempt petition. Accordingly, the contempt petition stands dismissed as withdrawn.

abr

SD/-
ASSISTANT REGISTRAR (COMM.CASES)

//Certified to be true copy//

Dated at Madras this the day of 2018.

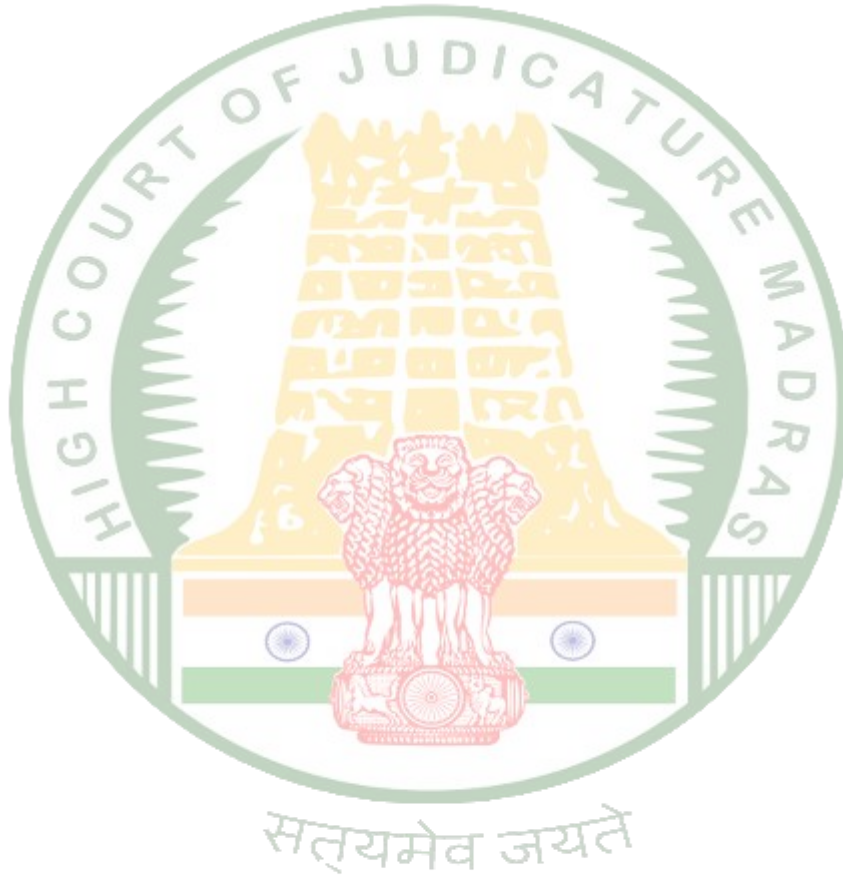
COURT OFFICER (O.S.)

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CO/05/01/2018

one cc to the Government Pleader, SR.No.13104.

One cc to Mr. D. Saikumar, SR, No.12642.



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