



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **31.08.2017**

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.2390 of 2013

M.Selvaraj .. Petitioner

Vs.

1.The District Collector,
Madurai.

2.The District Supply Officer,
Madurai.

3.The Taluk Supply Officer,
Madurai.

4.The Designated Officer,
Tamil Nadu Food Safety and Drug
Administration Department,
Deputy Director of Health Services Campus,
Viswanathapuram,
Madurai.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents not to interfere with or prevent the sale of non-edible oil products under the name and style of Vetrivel Gingelly oil and Thanga Mayil Ground nut oil except under due process of law and to further direct the respondents to act as per the procedure contemplated under law.

For petitioner
For respondents

: Mr.M.Rajaraman
: Mr.M.Govindan
Special Government Pleader

O R D E R

[Order of the Court was made by **K.K.SASIDHARAN, J.**]

The petitioner filed this Writ Petition to direct the respondents not to interfere in his business of sale of non-edible oil products under the name and style of Vetrivel Gingelly oil and Thanga Mayil Groundnut oil except under due process of law.



2. It is the grievance of the petitioner that the respondents had initiated action by seizing of the products without following due process of law. The petitioner, therefore, filed this writ petition for issuance of a Writ of Mandamus directing the respondents not to seal the premises pursuant to the action taken to seize the product on allegation that he is indulged in sale of non-edible oil under the guise of edible oils.

3. The respondents are exercising power under the Food Safety and Standards Act, 2006. There is no question of taking action against the petitioner or any other dealers without following the provisions of the Act in question. We, therefore, dispose of the writ petition with an observation that in case action is taken by the respondents, they would follow the Food Safety and Standards Act, 2006, in its letter and spirit. No costs.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector, Madurai.
2. The District Supply Officer, Madurai.
3. The Taluk Supply Officer, Madurai.
4. The Designated Officer,
Tamil Nadu Food Safety and Drug
Administration Department,
Deputy Director of Health Services Campus,
Viswanathapuram, Madurai.

+1cc to M/S.M. RAJARAMAN, Advocate SR.No.75827

skn/km

MAS/JC/SAR2:11.10.2017:2P-6C

**ORDER MADE IN
W.P. (MD) No.2390 of 2013
31.08.2017 (2/3)**