

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.08.2018

CORAM

THE HON'BLE MR. JUSTICE M.DURAI SWAMY

W.P.No.20401 of 2018

B.J.Bhavarlal

... Petitioner

v.

- 1 The Commissioner
Department of Food Safety
(Govt. of NCT of India)
8th Floor, Mayur Bhavan
Connaught Place
New Delhi-110 001.
- 2 The Commissioner of the Food Safety
Office of the Commissioner of Food Safety
259, Anna Salai, DMS Campus
Teynampet, Chennai-8.
- 3 The Designated Officer
District Food Safety Officer
Deputy Director of Health Services Campus
Salem District.
- 4 The Food Safety Officer
Sooramangalam Zone
Salem Corporation
Salem District

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondents to consider the petitioner's representations dated 26.06.2018 and 16.07.2018 within the time framed by this Court and consequently direct the 3rd respondent to reopen the shop and godown which was sealed by the 3rd respondent and cancelled the temporarily suspension of license IFLRs.

For Petitioner : Mr.S.Sivakumar

For Respondents : Mr.E.Manoharan
Additional Government Pleader
- for R2 to R4

O R D E R

Mr.E.Manoharan, learned Additional Government Pleader, takes notice for the respondents 2 to 4. By consent, the main writ petition itself is taken up for disposal at the admission stage itself.

2. The petitioner has filed the above writ petition to issue a Writ of Mandamus to direct the respondents to consider his representations dated 26.06.2018 and 16.07.2018, within a time frame and consequently direct the 3rd respondent to reopen the shop and godown, which was sealed by the 3rd respondent and cancelled the temporarily suspension of license IFLRs.

3. The learned counsel appearing for the petitioner submitted that instead of granting the consequential order, it would be suffice to direct the 2nd respondent to consider the petitioner's representations dated 26.06.2018 and 16.07.2018 and pass orders, in accordance with law.

4. The learned Additional Government Pleader appearing for the respondents 2 to 4 submitted that the 2nd respondent may be directed to consider the petitioner's representations dated 26.06.2018 and 16.07.2018 and pass orders, in accordance with law.

5. Having regard to the submissions made by the learned counsel on either side and also taking into consideration the limited prayer sought for by the learned counsel appearing for the petitioner, without expressing any opinion with regard to the merits of the case, I direct the 2nd respondent to consider the petitioner's representations dated 26.06.2018 and 16.07.2018 and pass orders, on merits and in accordance with law, within a period of three weeks from the date of receipt of a copy of this order.

With these observations, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

Rj

To

- 1 The Commissioner
Department of Food Safety
(Govt. of NCT of India)
8th Floor, Mayur Bhavan
Connaught Place, New Delhi-110 001.
- 2 The Commissioner of the Food Safety
Office of the Commissioner of Food Safety
259, Anna Salai, DMS Campus
Teynampet, Chennai-8.
- 3 The Designated Officer
District Food Safety Officer
Deputy Director of Health Services Campus
Salem District.
- 4 The Food Safety Officer
Sooramangalam Zone
Salem Corporation, Salem District

+1cc to Mr.S.Sivakumar, Advocate, S.R.No.54680

W.P.No.20401 of 2018

CS/10/08/18



WEB COPY