

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Thursday, the Sixth day of September Two Thousand Eighteen

PRESENT

THE HON`BLE MR JUSTICE R. MAHADEVAN

WP No.21764 of 2018

and WMP.No.25534 of 2018

BRITTANNIA INDUSTRIES LIMITED, [PETITIONER IN BOTH THE PETITIONS]
5/1A HUNGER FORT ST, KOLKATTA REP BY ITS
MANAGER, LEGAL, OFF AT PRESTIGE
SHANTINIKETAN, WHITEFIELD MAIN ROAD,
MAHADEVAPURA, BENGALURU

Vs

1 THE ADDITIONAL DISTRICT [RESPONDENTS IN BOTH THE PETITIONS]
MAGISTRATE CUM DISTRICT REVENUE OFFICER,
KANCHEEPURAM

2 THE FOOD SAFETY OFFICER,
SOUTHERN RAILWAY, CHIEF MEDICAL DIRECTORS
OFFICE, MOOR MARKET COMPLEX 4TH FLOOR, PARK
TOWN, CHENNAI 3

3 THE FOOD SAFETY & STANDARD
AUTHORITY OF INDIA, REP BY MINISTRY OF
HEALTH & FAMILY WELFARE DEPARTMENT, KOTLA
ROAD, FDA BHAVAN, NEW DELHI 110 002

Writ petitions under article 226 of the Constitutions of India
praying that in these circumstances stated therein and in the
respective affidavits filed their with the High Court will pleased
to

(i) issue a writ of certiorari or any other appropriate
order or direction to call for the records relating to the
proceedings in R.C. No. 5092/2014/M2 dated 14.2.2018, passed by the
1st respondent, in so far as relates to the levy of penalty on the
petitioner under the Food and Safety Standards Act, 2006 and Food
Safety and Standards (Packaging and Labelling) Regulations, 2011,
quash the same in WP No.21764 of 2018 and;

(ii) to stay all further proceedings, pursuant to the order
dated 14.2.2018 in R.C. No. 5092/2014/M2, passed by the 1st
respondent, in so far as relates to the levy of penalty on the
petitioner under the Food and Safety Standards Act, 2006 and Food

Safety and Standards (Packaging and Labelling) Regulations, 2011, (in WMP.No.25534 of 2018) pending disposal of the above writ petition No.21764 of 2018 respectively.

Order : These petitions coming on for orders upon perusing the petitions and the respective affidavits filed in support thereof and upon hearing the arguments of M/S.R.SARAVANAKUMAR, Advocate for the petitioner and of MR.JAYAPRAKASH NARAYANAN, Special Government Pleader for 1st Respondent and of MR. P.T.RAMKUMAR, ADVOCATE on behalf of the 2nd Respondents the court made the following order:-

Despite several opportunities given to the respondents, nothing is forthcoming from them. Hence, there shall be an order of interim stay for a period of four weeks.

Call after four weeks.

-sd/-

06/09/2018

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE ADDITIONAL DISTRICT
MAGISTRATE CUM DISTRICT REVENUE OFFICER,
KANCHEEPURAM

2 THE FOOD SAFETY OFFICER,
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C.C. to M/S.R.SARAVANAKUMAR Advocate SR.No.10712

Order

in

WP No.21764 of 2018

and WMP.No.25534 of 2018

Date :06/09/2018

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
VC (11/09/2018)