

In the High Court of Judicature at Madras

Dated : 20.7.2018

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

Writ Petition No.18545 of 2018 & WMP.No.21886 of 2018

Arulmuthu

...Petitioner

Vs

1.The District Manager, TASMAC-
North, Kanchipuram North,
Thirumazhisai Unit 3,
Chembarambakkam, Chennai-123.

2.The Senior Regional Manager,
Tamil Nadu State Marketing
Corporation Ltd. (TASMAC), No.735,
LLA Building, 4th Floor, Anna Salai,
Chennai-2.

3.Tamil Nadu State Marketing Corporation
Ltd. (TASMAC), rep.by its Managing
Director, Thalamuthu Natarajan
Building, Gandhi Irwin Road, Egmore,
Chennai-8.

4.The District Collector, Kancheepuram,
Kancheepuram District.

...Respondents

PETITION under Article 226 of The Constitution of India
praying for the issuance of a Writ of Mandamus forbearing the
respondents, their men, people and agents or subordinates or any
other persons claiming through them from in any manner closing
the TASMAC shop No.4110 at No.1, Pozhichalur Main Road, Nehru
Nagar, Pozhichalur, Chennai-74.

For Petitioner : Mr.S.Balasubramanian
For Respondents 1 to 3 : Mr.P.Arumugha Rajan
For Respondent-4 : Mr.R.P.Pratap Singh, GA

ORDER

Mr.P.Arumugha Rajan, learned Standing Counsel accepts notice
for respondents 1 to 3. Mr.R.P.Pratap Singh, learned Government
Advocate accepts notice for the fourth respondent. Heard both.
By consent, the writ petition itself is taken up for final
disposal.

2. The petitioner is before this Court seeking to forbear the respondents from, in any manner, closing the TASMAL shop in question.

3. The reason being that the first respondent issued a show cause notice dated 09.7.2018 directing the petitioner to produce necessary licence/ registration under the Food Safety Standards of Food Businesses Regulations, 2011. Admittedly, till date, the petitioner has not obtained such a licence. Thus, without obtaining a licence, selling eatables is prohibited. Therefore, this Court cannot injunct or prevent or restrain the first respondent from proceeding further in accordance with law. However, since the impugned notice has been issued only on 09.7.2018, if the petitioner already applied for such a licence, it is open to the petitioner to approach the first respondent and submit a representation requesting a reasonable time to comply with the direction.

4. With the above direction, the writ petition is disposed of. No costs. Consequently, the connected WMP is closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

RS

To

1.The District Manager,
TASMAC-North,
Kanchipuram North,
Thirumazhisai Unit 3,
Chembarambakkam,
Chennai-123.

2.The Senior Regional Manager,
Tamil Nadu State Marketing Corporation Ltd.
(TASMAC), No.735, LLA Building,
4th Floor, Anna Salai, Chennai-2.

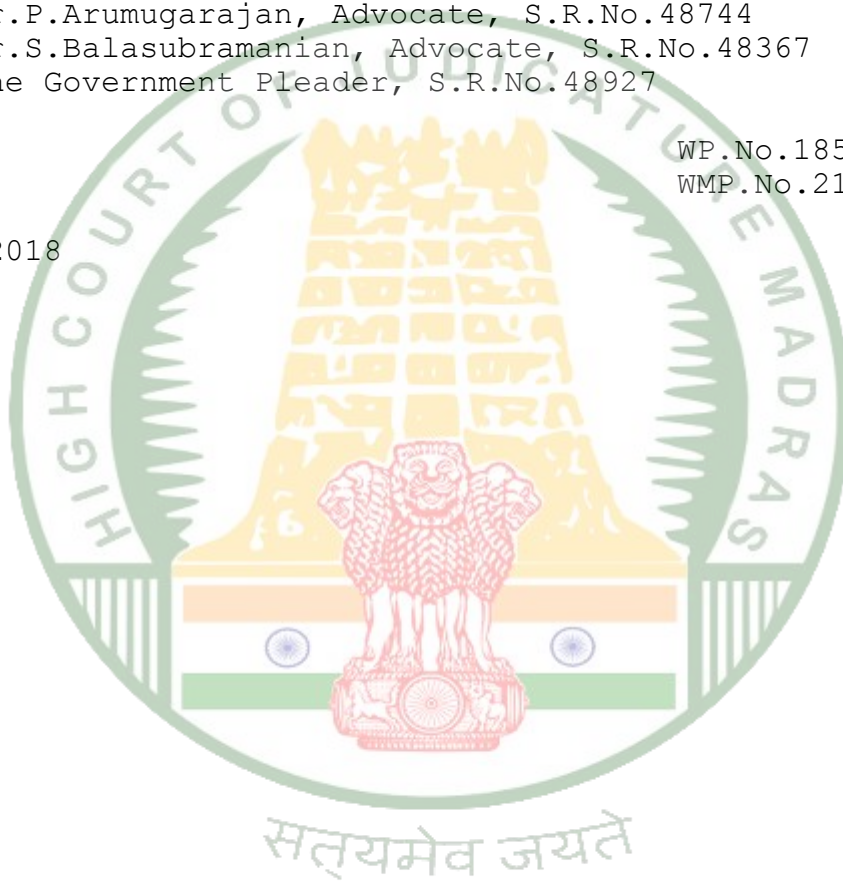
3.The Managing Director,
Tamil Nadu State Marketing Corporation Ltd.
(TASMAC), Thalamuthu Natarajan Building,
Gandhi Irwin Road, Egmore,
Chennai-8.

4.The District Collector,
Kancheepuram,
Kancheepuram District.

+lcc to Mr.P.Arumugarajan, Advocate, S.R.No.48744
+lcc to Mr.S.Balasubramanian, Advocate, S.R.No.48367
+lcc to the Government Pleader, S.R.No.48927

WP.No.18545 of 2018&
WMP.No.21886 of 2018

BM 23/07/2018



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