



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.(MD) No.353 of 2018

and

W.M.P.(MD) Nos.368 and 369 of 2018

Vijay Dairy & Farm Products (P) Ltd.,
represented by its Managing Director,
J.Madan Mohan.

... Petitioner

vs.

1.The District Revenue Officer,
cum Additional District Magistrate,
Karur.

2.The Designated Officer,
Tamilnadu Food Safety and Drug
Administration Department,
Karur District, Karur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Certiorari to call for the records to the order of the first respondent, dated 28.07.2014 made in Na.Ka.No.K2/10812/2014 and quash the same.

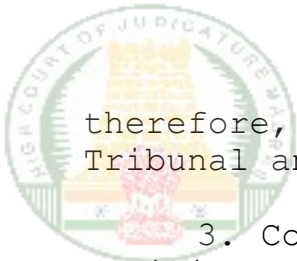
For Petitioner : Mr.V.Sitharanjandas

For Respondents : Mr.B.Pugalendhi
Additional Advocate General
assisted by
Mr.A.Muthukaruppan
Additional Government Pleader

O R D E R

The writ petition is filed against the order passed by the first respondent, dated 28.07.2014, under the provisions of the Food Safety and Standards Act, 2006.

2. This writ petition was entertained and an interim order was passed by this Court on the ground that the appellate Tribunal as envisaged in the Act was not established. However, when the matter is taken up for hearing, the learned Additional Advocate General appearing for the respondents would submit that in June 2018, the appellate Tribunal as envisaged in the Act has been established and



therefore, it is open to the petitioner to approach the appellate Tribunal and seek appropriate remedy before the said Forum.

3. Considering the development during the pendency of the writ petition, the petitioner is directed to approach the appellate Tribunal within a period of four weeks from the date of receipt of a copy of this order. Upon such appeal being filed, it is open to the appellate Tribunal to dispose of the appeal on merits and in accordance with law as expeditiously as possible.

4. The learned Counsel appearing for the petitioner would submit that the petitioner has the benefit of interim order passed by this Court during the pendency of the writ petition and therefore, the petitioner may be given interim protection till the appeal is taken up for hearing by the appellate Tribunal.

5. Considering the submission made by the learned Counsel appearing for the petitioner, this Court directs that the impugned order shall not be given effect to by the respondents till the appeal is taken up for hearing by the appellate Tribunal.

6. With these directions, the Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS III)

/True Copy/

Sub Assistant Registrar(CS I)

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To

1.The District Revenue Officer,
cum Additional District Magistrate,Karur.

2.The Designated Officer,
Tamilnadu Food Safety and Drug Administration Department,
Karur District, Karur.

1CC TO MR. V SITHARANJAN DAS, ADVOCATE SR 81981

1CC TO THE SPL GOVT PLEADER SR 82482

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