

HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.11085 of 2012

ORDER:

The relief sought for in this Writ Petition is for a mandamus to direct the respondent authorities to bring all non-BIS units, which are engaged in the business of sale of Packaged Drinking Water under the purview of Food Safety and Standards Act, 2006 and all units which are selling herbal/flavoured drinking water for commercial purposes under the purview of the said Act on par with the restrictions and conditions imposed on the sale of packaged Drinking Water set out in the Food Safety and Standards Act, 2006.

No counter affidavit is filed on behalf of the respondents. It is stated, in the affidavit filed in support of the Writ Petition, that, since these units are not brought within the purview of the Act, the water sold by them does not adhere to the standards prescribed in the Act, resulting in the sale of poor quality drinking water.

As these are all matters for the authorities to examine in the first instance, suffice it to dispose of the Writ Petition permitting the petitioner to submit a detailed representation to the authorities concerned in this regard. Respondents 3 and 4 shall consider the said representation, if any made by the petitioner, in accordance with law, and examine whether such non-BIS units can also be brought within the ambit of the Food Safety and Standards Act, 2006, and thereafter take action in accordance with law. The Writ Petition is disposed of accordingly. The miscellaneous petitions pending, if any, shall stand closed. No costs.

RAMESH RANGANATHAN, ACJ

Date: 06.07.2018
MRKR