

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2019

CORAM

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P.No.4133 of 2010

and

M.P.No.1 of 2011

Godfrey Phillips India Limited,
rep. by its J.Vajravelu,
No.3-G, Gee Gee Emerald,
No.312, Valluvar Kottam High road,
Nungambakkam,
Chennai 600 034.

.... Petitioner

/vs/

1. Ministry of Health and Family Welfare,
rep. by the Secretary,
Department of Health,
Fort Saint George,
Chennai 600 104.

2. The Director of Public Health and
Preventive Medicine,
Directorate of Public Health and
Preventive Medicine,
No.359, Anna Salai,
Chennai 600 006

.... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari to call for the records of the order dated 20.01.2010 bearing R.No.51910/STCC/08 issued by the second respondent and quash the same.

For Petitioner :Mr. J. Sivanandaraaj

For Respondents :Mr. I. Satish,
AGP, for R1 & R2

O R D E R

This writ petition has been filed challenging the notice issued by the second respondent directing the petitioner to cancel the show for promoting Tobacco products. The program is said to have been organised for promoting a Tobacco product scheduled to held on 23rd and 24th of January 2010.

2. As per the impugned notice, the above program has been organised in violation of Sections 5 and 22 of the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003, which is an offence punishable under Section 24 of the Act.

3. The learned counsel appearing for the petitioner would submit that as per the notice issued by the second respondent, the petitioner-company cancelled the program and the event did not take place.

4. In view of the submission made by the learned counsel for the petitioner that as the program had been cancelled, no further adjudication is required in the writ petition at this stage. However, in future if any such notice is sent to the petitioner for conducting such programs, it is always open to petitioner to challenge the same in the manner known to law.

5. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

mrp

To

1. Ministry of Health and Family Welfare,
rep. by the Secretary,
Department of Health,
Fort Saint George,
Chennai 600 104.

2. The Director of Public Health and
Preventive Medicine,
Directorate of Public Health and
Preventive Medicine,
No.359, Anna Salai,
Chennai 600 006

+1 CC to Mr.J. Sivanandaraaj, Advocate sr 82512
+1 CC to Govt. Pleader sr 83198.

W.P.No. 4133 of 2010

PM(CO)
SP(20/11/2019)