

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.03.2019

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.42019 of 2016

R.Bhuvaneshwar

.. Petitioner

Vs.

1. The Commissioner of Food Safety,
Office of the Commissioner of Food Safety
5th Floor, DMS Building,
259, Anna Salai, Teynampet,
Chennai 600 006.
 2. The Assistant Designated Officer,
Food Safety and Drug Administration Department
DDHS Office Campus,
No.54/1, Asoori Street,
Tiruvallur 602 001.
 3. Khalsa Hotel, rep by its Manager,
No.155, Bangalore High Road,
Chembarampakam,
Chennai 103
- ... Respondents

PRAYER : Writ Petitions filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 12.10.2016 and to take action against the third respondent.

For Petitioner : Mr.M.Ponpandi

For RR1 and 2 : Mr.N.Inbanathan
Additional Government Pleader

O R D E R

The Writ Petition has been filed by the petitioner seeking a direction to the respondents to consider his representation dated 12.10.2016 to take action against the third respondent.

2. According to the learned counsel for the petitioner, the petitioner has submitted a representation dated 12.10.2016 to the respondents 1 and 2 to take action against

the third respondent-Hotel for their unlawful and hazardous act of serving dead fried frog with chicken 65, which is very detrimental to the health of human being and also in violating the Rules and Regulations laid down in the Food Safety and Standards Act, but the same is yet to be disposed of by the respondents 1 and 2. Hence, the petitioner is before this Court.

3. Heard Mr.M.Ponpandi, learned counsel for the petitioner and Mr.N.Inbanathan, learned Additional Government Pleader for the respondents 1 and 2.

4. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the representation, directs the first respondent to consider the petitioner's representation dated 12.10.2016 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner, the third respondent herein as well as the persons interested in this regard and also affording them an opportunity of personal hearing, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

srn

To

1. The Commissioner of Food Safety,
Office of the Commissioner of Food Safety
5th Floor, DMS Building,
259, Anna Salai, Teynampet,
Chennai 600 006.
2. The Assistant Designated Officer,
Food Safety and Drug Administration Department
DDHS Office Campus,
No.54/1, Asoori Street,
Tiruvallur 602 001.

+1cc to Mr.M.Ponpandi , Advocate SR.No. 25011

+1 cc to Government Pleader SR.NO. 26311

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VSN II (CO)

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