



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 02.01.2020
CORAM

THE HONOURABLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**
W.P (MD).No. 27301 of 2019

WEB COPY

Dr.K.S.Sumathi

.. Petitioner

Vs.

1. The Commissioner of Food Safety
Food Safety and Drug Administration Department
Chennai- 6
2. The District Collector
Sivagangai District
Sivagangai
3. The Designated Officer
Food Safety and drug Administrative Department
Sivagangai
Sivagangai District
4. The Food Safety Officer
Code No. 457
Karaikudi City
Sivagangai District
5. The Superintendent of Police
Sivagangai District
Sivagangai
6. The Inspector of Police
North Police Station
Karaikudi
Sivagangai District
7. Ravichandran

.....Respondents

Prayer : This petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus to direct the the respondents No.1 to 6 to remove the Seal to the petitioner house bearing D.No.3/1742, 10th St, Subramaniapuram, Karaikudi at Sivagangai District and to handover to him based on the petitioner representations dated 3.6.2019, 27.11.2019 and 5.12.2019 within the time fixed by this Honourable Court.

For Petitioner : Mr.PR.Boomee Rajan

For Respondents: Mrs. S.Bharathi

No.1 to 6

Government Advocate (Crl.Side)



ORDER

This Petition has been filed to direct the respondents No.1 to 6 to remove the Seal to the petitioner house bearing D.No.3/1742, 10th Street, Subramaniapuram, Karaikudi at Sivagangai District and to handover to him based on the petitioner representation dated 3.6.2019, 27.11.2019 and 5.12.2019 within the time fixed by this Honourable Court.

2. It is the grievance of the petitioner that he has submitted representations to the respondents on 3.6.2019, 27.11.2019 and 5.12.2019 to remove the Seal of his house bearing D.No.3/1742, 10th Street, Subramaniapuram, Karaikudi at Sivagangai District and to handover to him, which has not been considered by the respondents till date and therefore, he has filed the present writ petition.

3. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

4. In view of the limited prayer sought for in this writ petition and without going into the merits of the case, there shall be a direction to the **(*) respondents 3 and 4** to consider the petitioner's representations dated 3.6.2019, 27.11.2019 and 5.12.2019 on its own merits and take further action in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner and to the rival parties if any.

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

Sd/
Assistant Registrar(CS-)

Sd/
Assistant Registrar(CS-)

**(*) AMENDED AS PER ORDER OF THIS
HON'BLE COURT DATED 31.01.2020**

/True copy/

Sub Assistant Registrar(CS)



To

TO BE SUBSTITUTED THE ORDER ALREADY DESPATCHED ON 23.01.2020

1. The Commissioner of Food Safety
Food Safety and Drug Administration Department
Chennai- 6

2. The District Collector
Sivagangai District
Sivagangai

3. The Designated Officer
Food Safety and drug Administrative Department
Sivagangai
Sivagangai District

4. The Food Safety Officer
Code No. 457
Karaikudi City
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5. The Superintendent of Police
Sivagangai District
Sivagangai

6. The Inspector of Police
North Police Station
Karaikudi
Sivagangai District

+1 CC to M/s.PR.BOOMEERAJAN, Advocate (SR-357[F] 06/01/2020)

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02.01.2020

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