



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No. of 16470 of 2015

and

M.P.No.1 of 2015

O.Mangilal
Proprietor,
M/s Samunda Marketing,
No.905-B, R.G.Street,
Coimbatore - 641 001.

...Petitioner

Vs

1. Food Safety Officer,
Tamil Nadu Food Safety &
Drug Administration Department,
Food Safety Wing,
219, Race Course,
Coimbatore - 641 018.

2. Sub-Inspector of Police,
Organised Crime INT. Unit,
OCIU,
Coimbatore Range,
Coimbatore - 641 018.

...Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, praying to Writ of Certiorarified Mandamus, to call for the records of the first respondent in Form No.II, Seizure Memo dated 27.03.2015 quash the same and consequently direct the first respondent to release the seized HANS CHHAPTOBACCO 64 number of whole sale bags weighing 2880 Kgs to the petitioner.

For Petitioner : Mr.T.S.V.Krishnan

For Respondents : Mr.K.M.D.Muhilan
Government Advocate.

O R D E R

The relief sought for in the present writ petition is to quash the seizure memo dated 27.03.2015 and direct the 1st respondent to release the seized HANS CHHAPTOBACCO, 64 number of whole sale bags weighing 2880 Kgs to the petitioner.



2. Admittedly, the product seized is a banned tobacco product. Therefore, the said tobacco product was seized by the competent authorities.

3. In view of the fact that it is a banned product and seized by the 1st respondent in the interest of public health and further, the seized articles contained 'Nicotin' and much injurious to the public health, the seized articles were destroyed, as per the circular of the Commissioner of Food Safety dated 28.05.2013.

4. In view of the fact that the product seized is a banned product and the said product after seizure, was destroyed, by following the procedures contemplated, the relief sought for by the writ petitioner, cannot be granted and the said writ petition stands disposed of. No Costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

ars/mka

To

1. Food Safety Officer,
Tamil Nadu Food Safety &
Drug Administration Department,
Food Safety Wing,
219, Race Course,
Coimbatore - 641 018.

2. Sub-Inspector of Police,
Organised Crime INT. Unit,
OCIU,
Coimbatore Range,
Coimbatore - 641 018.

+1cc to the Government Pleader, S.R.No.52331

W.P.No.16470 of 2015

BP (CO)
RGA (01/12/2021)