



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
W.P. (MD) .No.15211 of 2020

I.M.Selvaraj

... Petitioner

Vs.

1.The Food Safety Officer,
Code No.576,
Office of the Designated Officer
Tamil Nadu Food Safety and administration wing
1st Floor, Office of the Deputy Director of Health Services,
Multipurpose Health Supervisors,
Training School, Viswanathapuram,
Madurai-14.

2.The Designated Officer,
Tamil Nadu Food Safety and administration wing,
1st Floor, Office of the Deputy Director of Health Services,
Multipurpose Health Supervisors
Training School, Viswanathapuram,
Madurai-14.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to release the goods seized in the business premises of the petitioner at 2236, TNHB, Villapuram Madurai.

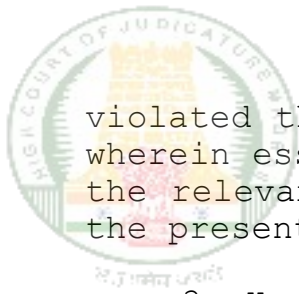
For Petitioner : Mr.M.Rajaraman

For Respondents : Mr.M.Lingadurai
Government Advocate

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the respondents to release the goods seized from the premises of the petitioner.

2. The case of the petitioner is that he is engaged in Lighting Oil business. During the lock down period, on 20.04.2020, the officers belonging to the second respondent came to the business premises of the petitioner and seized Oil and 188 Tins belonging to the petitioner. This was done on the ground that the petitioner had



violated the prohibitory order issued under Section 144 of Cr.P.C., wherein essential commodities alone were permitted to be sold during the relevant period. Since the seized goods were not returned back, the present writ petition has been filed before this Court.

3. Heard Mr.M.Rajaraman, learned counsel appearing on behalf of the petitioner and Mr.M.Lingadurai, learned Government Advocate appearing on behalf of the respondents.

4. In the considered view of this Court, there is no serious violation on the part of the petitioner and there is no requirement for the respondents to hold back the goods seized from the business premises of the petitioner.

5. In view of the above, there shall be a direction to the second respondent to release the goods specified in seizure memo dated 21.07.2020 which pertains to 188 Oil Tins, within a period of one week from the date of receipt of a copy of this order. The petitioner is directed to make a representation to the second respondent along with a copy of this order.

6. This writ petition is disposed of with the above direction.
No Costs.

Sd/-

Assistant Registrar (Crl)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PJL

NOTE:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

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<https://hcservices.ecourts.gov.in/hcservices/>



2.The Designated Officer,
Tamil Nadu Food Safety and administration wing,
1st Floor, Office of the Deputy Director of Health Services,
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Training School, Viswanathapuram,
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+1 CC to M/s.SPL GP (SR-22551[F] dated 14/07/2021)

W.P. (MD) .No.15211 of 2020
13.07.2021

RK (23.07.2021) 3P 4C