



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 25.01.2022
CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.9599 of 2021

J. Jayapal

... Petitioner

Vs.

1. The District Collector,
Office of the District Collectorate,
Vellore-632 009.
2. The Commissioner,
Office of the Food Safety and
Drug Administration Department,
Chennai-600 006.
3. The District Revenue Officer,
Office of the District Revenue Officer,
Vellore-632 009.
4. The Tamilnadu Pollution Control Board,
No.76 Anna Salai, Guindy Industrial Estate,
Race View Colony,
Guindy-600 032.
5. The Deputy Director (The Designated Officer)
Food Safety and Drug Admin Department (Food Wing)
Vellore-632 009.
6. Thiru ABBAS, Snacks, Sweet & Karam
Rep by its proprietor A.Abbas

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to take appropriate action against the 6th respondent for running the food establishment running in the name of ABBAS, Snacks, Sweet and Karam in accordance with law and shift the same to non-residential area as per the representation of the petitioner dated 29.08.2019.

For Petitioner	: Mr. M.Raja Sekhar
For Respondent R1 to R3	: Mrs.C.Sangamithirai, Special Government Pleader
For Respondent R4	: M/s.Shanmugavalli sekar



O R D E R

The petitioner has filed this writ petition for consideration of the petitioner's representation dated 29.08.2019 by the 1st respondent.

2. The case of the petitioner is that he is residing at Saadhukaara Madam, 3rd Street, Salavanpet which is a residential area wherein more than 50 houses are situated and the 6th respondent is running a factory and manufactures eatables for children containing lot of Jaggeries and selling the same to retail outlets in the nearby local areas which cause undue hardship to the petitioner and other residents of the above said area. Hence, the petitioner made a representation dated 13.07.2010 before the 1st respondent and subsequently, requested the 2nd respondent to prohibit the functioning of the factory of the 6th respondent and the same was forwarded to the 5th respondent on 21.07.2013. Thereafter, he made another representation dated 29.08.2019 before the 1st respondent to take action against the unauthorised manufacturing unit of the 6th respondent, however, till date no orders has been passed on the representation made. Hence, the Writ Petition.

3. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the 1st respondent to consider the petitioner's representation dated 29.08.2019 and pass orders on the same within a particular time frame fixed by this Court.

4. Heard the contentions of either sides and also the counsel for the 6th respondent.

5. Since no adverse orders have been passed against the 6th respondent, notice to the 6th respondent is dispensed with.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the 1st respondent to consider the petitioner's representation dated 29.08.2019 and pass appropriate orders in accordance with law after providing opportunity of hearing to the 6th respondent, within a period of twelve weeks from the date of receipt of a copy of this order. This writ petition is accordingly disposed of. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar



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To

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Vellore-632 009.
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5. The Deputy Director (The Designated Officer)
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Vellore-632 009.

+1 cc to Mr.M.Raja Sekhar, Advocate Sr.NO. 4432

+1 cc to Government Pleader Sr.NO. 4705

W.P.No.9599 of 2021

rld(CO)

A.SK(10.02.2022)