



W.P.No.40641 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :04.11.2022

CORAM:

THE HON'BLE **MR.JUSTICE N.SATHISH KUMAR**

W.P.No.40641 of 2016
and W.M.P.Nos.34655 & 34656

M/s.Sarbesh Water Technologies Co
a partnership firm represented by its
partner Mr.R.Prabhu
73/2, Cheku Thottam
Kamarajar Road
No.4, Veerapani
Coimbatore 641 019

... Petitioner

Vs.

1.The Commissioner
Tamilnadu Food Safety & Drug
Administration Department
Chennai-06

2.Designated Officer
Food Safety Wing
No.219, Race Course Road
Coimbatore 641 018

3.Food Safety Officer
Coimbatore Corporation
Coimbatore

... Respondents



W.P.No.40641 of 2016

PRAYER: Writ Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Certiorari, calling for records of the 2nd respondent relating to the impugned proceedings dated 11.11.2016 issued under R.No.495/2016/A1 and quash the same.

For Petitioner : Mr.Bharath Kumar

For Respondents : Mr.D.Gopal
Govt. Advocate for R1 to R3

ORDER

This Writ Petition is filed under Article 226 of Constitution of India praying for issuance of Writ of Certiorari, calling for records of the 2nd respondent relating to the impugned proceedings dated 11.11.2016 issued under R.No.495/2016/A1 and quash the same.

2.The impugned order has been passed by the 2nd respondent, directing the petitioner to close and stop all the activities forthwith, including manufacturing process, packing, storing, distribution, sale or whatsoever, by any means in the name of Crystal Clear packaged drinking water or any other name or manner until further orders from them.



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3.It is stated by the learned counsel for the petitioner that in pursuant to the interim order passed by this Court earlier on 18.11.2016, the respondents took samples from the petitioner's unit and the same was found to be safe. Accordingly, prays for quashing of the impugned order.

4.Learned Government Advocate, appearing for the respondents would submit that as far as the present case is concerned, periodical samples have been taken and the same was found to be safe and their licence has been renewed as there are no defects found till now. The respondents have also filed a report in this regard. According to the respondents, till now the manufacturing and the sale was not prohibited and regular sample tests done by them found to be safe. Such view of the matter, they are not implementing the order dated 11.11.2016 and the same was not given any effect and became academic as the licence has been renewed and the manufacturing process is also started.

5.Such view of the matter, no order, specifically to set aside the order is required, since the manufacturing has already been permitted and the water samples are found to be safe by the respondents.



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N.SATHISH KUMAR, J.

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6.This Writ Petition stands closed accordingly. Consequently,
connected miscellaneous petitions are closed. No costs.

04.11.2022

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Index: yes / no
Internet: yes / no
Speaking / Non speaking

To

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