



WEB COPY



W.P.No.31322 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.31322 of 2022
and
W.M.P.Nos.30763 & 30764 of 2022

M.Sridhar

...Petitioner

Vs

1.The Commissioner of Tamil Nadu,
Food Safety and Drug Administration,
Chennai - 600 006.

2.The Designated Officer,
Food Safety and Drug
Administration Department,
Old District Board Building,
Salem District - 1.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, calling for the records relating to the order of the 1st respondent in R.No.10003/2022/S9/FSD dated 28.10.2022 and quash the same.

For Petitioner : Mr.K.Selvaraj

For Respondents : Mr.U.M.Ravichandran
Special Government Pleader



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ORDER

WEB COPY The prayer sought for herein is for a Writ of Certiorari, to quash the order passed by the first respondent in R.No.10003/2022/S9/FSD dated 28.10.2022.

2. Even though the aforesaid prayer was sought for in this writ petition, the learned counsel for the petitioner, on instructions, would submit that, after the impugned order was passed, the petitioner had given a representation on 14.11.2022 to the respondents to reconsider the assessment done by them, allowing the petitioner to open the shop and to run the business and if the said representation given by the petitioner is directed to be considered and decided on merits within a time frame to be stipulated by this Court, the petitioner would be satisfied.

3. The learned Special Government Pleader for the respondents would submit that, if the main prayer sought for in this writ petition challenging the impugned order is given up by the petitioner and instead if he wants the representation dated 14.11.2022 to be considered by the respondents, the said representation would be considered and disposed of by the respondents



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on merits and in accordance with law, within a time frame to be stipulated by this Court.

4. Having regard to the submission made by the learned counsel for both sides, this Court is inclined to dispose of this writ petition with the following orders:

(i) There shall be a direction to the second respondent to consider the representation given by the petitioner dated 14.11.2022 and decide the same on merits and in accordance with law, after giving an opportunity of hearing to the petitioner, within a period of 6 weeks from the date of receipt of a copy of this order.

(ii) It is made clear that in respect of the claim made by the petitioner, if the petitioner wants to supply any further input to the respondents, that can also be made and on receipt of the same, the aforesaid direction can be complied with by the second respondent.

5. With these directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

24.11.2022

Index: Yes/No
Speaking Order/Non-speaking order
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To

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Chennai - 600 006.

2. The Designated Officer,
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Administration Department,
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Salem District - 1.



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R.SURESH KUMAR,J.

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