



1

W.P.(MD)NO.1801 OF 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.06.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.1801 of 2021

S.Prakash

... Petitioner

Vs.

1. The Food Safety Officer,
Code No.577,
O/o.The Designated Officer,
Tamil Nadu Food Safety and Administration Wing,
1st Floor, O/o.The Deputy Director of Health Service,
Multipurpose Health Supervisors Training School,
Viswanathapuram,
Madurai – 14.

2. The Food Safety Officer,
Code No.118,
Thiruparankundram Taluk,
Madurai.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to remove the lock and seal made by the second respondent dated 24.10.2019 on the petitioner's godown situated at No.37/1, Thiruppuvanam Main Road, Viraganoor, Madurai District in the light of the petitioner's representation dated 02.01.2021 within the stipulated time fixed by this Court.



WEB COPY



For Petitioner : Mr.N.Marimuthu

For Respondents : Mr.M.Sarangan,
Additional Government Pleader.

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for the respondents.

2. The petition mentioned godown was sealed since a huge quantity of illegal tobacco products were found inside the godown. The seizure was made on 24.10.2019. Crime No. 413 of 2019 was also registered. The criminal case is still pending. Since almost 2½ years have elapsed, keeping the godown under lock and seal may not be served any purpose.

3. The petitioner gives an undertaking before this Court that without prejudice to his defence in the criminal trial, he will file an affidavit before the second respondent that the petition mentioned godown will not be used for storing any



tobacco product. This undertaking given by the petitioner is placed on record. The petitioner shall file an affidavit before the second respondent on the lines indicated above. On such affidavit being filed before the second respondent, the second respondent shall remove the lock and seal forthwith and without any delay.

4. This writ petition stands allowed. No costs.

24.06.2022

Index : Yes / No
Internet : Yes/ No
PMU

To:

1. The Food Safety Officer,
Code No.577,
O/o.The Designated Officer,
Tamil Nadu Food Safety and Administration Wing,
1st Floor, O/o.The Deputy Director of Health Service,
Multipurpose Health Supervisors Training School,
Viswanathapuram, Madurai – 14.
2. The Food Safety Officer,
Code No.118,
Thiruparankundram Taluk,
Madurai.

G.R.SWAMINATHAN,J.



WEB COPY



4

W.P.(MD)NO.1801 OF 2021

PMU

W.P.(MD)No.1801 of 2021

24.06.2022