



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2022

CORAM

THE HONOURABLE MR. JUSTICE **ABDUL QUDDHOSE**

W.P. (MD) No. 3444 of 2022

and

W.M.P. (MD) No. 3027 of 2022

WEB COPY

Tamilindu Packaged Drinking Water Association,
represented by its President,
R. Rajasekaran,
Dindigul.

... Petitioner

vs.

1. The Director General,
Bureau of Indian Standard,
9, Bahadur Shah Zafar Marg,
New Delhi - 110 002.

2. The Deputy Director General (Southern Region),
Bureau of Indian Standard, CIT Campus,
Tharamani, Chennai - 600 113.

3. The Head (CNBO I),
Bureau of Indian Standard, CIT Campus,
Tharamani, Chennai - 600 113.

4. The Head (CNBO II),
Bureau of Indian Standard, CIT Campus,
Tharamani, Chennai - 600 113.

5. The Head (MDBO),
Bureau of Indian Standard,
First Floor, SIDCO Centre of Excellence,
Women Industrial Park, Thoppur, Kappalur,
Madurai.

6. The Head,
Bureau of Indian Standard,
Coimbatore Branch Office,
5th Floor, Kovail Towers,
44, Bala Sundaram Road,
Coimbatore - 641 018.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent to set right the anomalies resulting from the implementation of schemes as to conformity and guidelines for action in case of non re-conformity under the Bureau of Indian Standards by considering and passing orders on the petitioner's representation,



dated 20.12.2021 within a time that may be stipulated by this Court.

For Petitioner :Mr.M.Mahaboob Athiff

For Respondents :Mr.S.Sivakukmar

Central Government Standing Counsel

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the first respondent to consider the petitioner's representation, dated 20.12.2021 seeking for modification of the scheme framed by the first respondent under Bureau of Indian Standards Act 2016.

2.According to the petitioner, the petitioner is seeking for modification of the scheme, as the existing scheme is not feasible to the members of the petitioner Association. Therefore, the petitioner has given a representation on 20.12.2021 to the first respondent requesting them to consider the modification of the scheme. Since the said representation has not been considered till date, the petitioner has filed the present Writ Petition.

3.Heard Mr.M.Mahaboob Athiff, learned Counsel for the petitioner and Mr.S.Sivakumar, learned Central Government Standing Counsel for the respondents.

4.No prejudice will be caused to the respondents, if the petitioner's representation seeking for modification of the aforementioned scheme is considered on merits and in accordance with law after affording a fair hearing to the authorised representatives of the petitioner. The petitioner seeks modification of the scheme on the ground that the members of the petitioner Association will be affected by certain clauses in the said scheme.

5.In the result, this Court directs the first respondent to consider the petitioner's representation dated 20.12.2021 seeking for modification of schemes as to conformity and guidelines for action framed by the first respondent and pass final orders on merits and in accordance with law after affording a fair hearing to the authorised representatives of the petitioner within a period of three months from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

cmr



To

1.The Director General,
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+1 CC to M/s.M.MAHABOOF ATHIFF, Advocate (SR-11343[F] dated 10/03/2022)

+1 CC to M/s.S.SIVAKUMAR, Advocate (SR-11353[F] dated 10/03/2022)

W.P.(MD)No.3444 of 2022

09.03.2022

MGJ(23.03.2022) 3P 7C