



W.P.No.7190 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2023

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.7190 of 2023

and

WMP.No.7250 of 2023

S.Pushpanathan

...Petitioner

Vs.

1. The Commissioner Food Safety & Standards,
Food Business Licensing & Registration Regulation,
Chennai - 600 006.
2. The Designation Officer,
Department of Food Safety & Drug Administration,
Salem District.
3. The Inspector of Police,
Kannankurichi Police Station,
Salem District.

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the 2nd respondent in Na.Ka.No.2697/A1/VuPaThaSa/2022-23 dated 26.12.2022 and quash the same.

For Petitioner : Mr.B.Gopalakrishnan

For Respondents : Mr.E.Veda Bagath Singh, Spl.GP



W.P.No.7190 of 2023

WEB COPY

ORDER

The petitioner has filed this writ petition seeking issuance of a Writ of Certiorarified Mandamus to call for the records of the 2nd respondent in respect of the proceedings bearing Na.Ka.No.2697/A1/VuPaThaSa/2022-23 dated 26.12.2022 and quash the same.

2. Mr.E.Veda Bagath Singh, learned Special Government Pleader takes notice for the respondents. In view of the consent expressed by the Learned counsel appearing for either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner is running a provisional store in the name and style of "Omsakthi Maligai" for the past several years without any violation. While so, on 16.12.2022, the 3rd respondent has registered a false case against the petitioner in Crime No.952 /2022 for the offences under Section 77 of the Juvenile Justice (Care & Protection of Children) Act 2015 and Section 6(a), 6(b) & 24(1) of Cigarette & other Tobacco products Act 2003 on the ground that the petitioner was in



W.P.No.7190 of 2023

same order, without awaiting for the orders from the 1st respondent is not sustainable, learned counsel for the petitioner restricted the prayer and sought for direction of this Court to direct the 1st respondent to dispose of the appeal filed by the petitioner as expeditiously as possible.

6. In view of above, this Court without expressing any opinion on the merits of the case and without interfering with the order impugned in this Writ petition, issues direction to the petitioner to send a copy of the said appeal to the 1st respondent within a period of four weeks from the date of receipt of a copy of this order. Upon receipt of the said appeal, the 1st respondent shall dispose of the same within a period of four weeks thereafter, after affording an opportunity of personal hearing to the petitioner and aggrieved persons, if any.

7. With the above observations and directions, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous petition is closed.

09.03.2023



W.P.No.7190 of 2023

skt

WEB COM

Speaking Order : Yes/ No

Index : Yes/ No

To

1. The Commissioner Food Safety & Standards,
Food Business Licensing & Registration Regulation,
Chennai - 600 006.
2. The Designation Officer,
Department of Food Safety & Drug Administration,
Salem District.
3. The Inspector of Police,
Kannankurichi Police Station,
Salem District



WEB COPY



W.P.No.7190 of 2023

M.DHANDAPANI,J.

skt

W.P.No.7190 of 2023
and
WMP.No.7250 of 2023



WEB COPY



W.P.No.7190 of 2023

09.03.2023