



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22.12.2023

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.36023 of 2023

Muthukumar

... Petitioner

Vs

1.The Commissioner,
Food Safety and Drug Administration Department,
Office of the Commissioner of Food Safety
and Drug Administration Department,
No.359, Anna Salai,
Teynampet, Chennai-600 009.

2.The Designated Officer,
Department of Food Safety
and Drug Administration,
Food Safety Division,
Coimbatore District.

3.The Food Safety Officer,
Pollachi Municipality,
Coimbatore.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus directing the first respondent to dispose
the petitioner's appeal dated 12.12.2023 against the order passed by the third



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respondent dated 11.12.2023 vide Na.Ka.No.132/A2/2023/U.Pa.A within the time fixed by this Court.

For Petitioner : Mr.K.Vasanthanayagan

For Respondents : Mr.P.Anandakumar
Government Advocate

ORDER

The prayer of the petitioner is for a mandamus directing the first respondent to dispose the petitioner's appeal dated 12.12.2023 challenging the order passed by the 3rd respondent Food Safety Officer, Polachi Municipality in Na.Ka.No.132/A2/U.Pa.A dated 11.12.2023.

2.Mr.Anandakumar, learned Government Advocate who accepts notice for the respondents does not have ready instructions on the pendency of matters before R1 and this Court is also reluctant to intervene in the roster of an Appellate Authority.

3.However, the mitigating circumstances as put forth by the petitioner are that the order impugned before R1 is one under which his petty retail shop in Old No.3, New No.11, Jubilee Well Street, Pollachi, Coimbatore District – 642 001 (shop/shop in question) has been sealed and he relies on the same for his livelihood.



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4.He states that on account of the closure of the shop, himself and his family i.e. wife and two daughters, are put to great difficulties. Based on these submissions, I am inclined to issue mandamus to the first respondent to call upon the petitioner for personal hearing and dispose the appeal within a period of four (4) weeks from date of receipt of a copy of this order, in accordance with law. No costs.

22.12.2023

vs

Index : Yes / No

Speaking order

Neutral citations:Yes

To

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Dr.ANITA SUMANTH,J.

VS

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