



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.8568 of 2024 AND

W.M.P.(MD)No.7799 of 2024

R.Govindaraj

... Petitioner

Vs.

1. The Commissioner,
Tamil Nadu Food Safety and Drug
Administration,
DMS Campus, 5th Floor
No.359, Anna Salai,
Teynampet, Chennai – 6.

2. The Designated Officer,
Tamil Nadu Food Safety and Drug
Administration Department,
Food Safety Wing,
Trichy District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 2nd respondent in his proceedings Na.Ka.No.2508/U.Paa.Trichy/2023 dated 24.01.2024 and quash the same as illegal and consequently directing the 2nd respondent to de-seal the petitioner's shop namely Balaji Store situated at 4/214, Nochiyam, Trichy to Salem Road, Manachanallur Taluk, Trichy District.



For Petitioner : Mr.T.Leninkumar

For Respondents : Mr.D.Sasikumar,
Additional Government Pleader.

* * *

ORDER

Heard both sides.

2. The petitioner is running a petty shop which was sealed by the second respondent on 24.01.2024. The petitioner has been charged with vending banned tobacco products. Since the shop has been kept under lock and seal for more than 30 days, I am inclined to grant relief. If the petitioner pays the compounding fee, he can avoid prosecution. Otherwise he has to face prosecution. I am not interfering with the impugned order. I am only directing the second respondent to de-seal the premises immediately and without any delay. This writ petition stands allowed to this extent. No costs. Consequently, connected miscellaneous petition is closed.

04.04.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU

Note : Issue order copy on 08.04.2024.



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To:

1. The Commissioner,
Tamil Nadu Food Safety and Drug
Administration,
DMS Campus, 5th Floor
No.359, Anna Salai,
Teynampet, Chennai – 6.
2. The Designated Officer,
Tamil Nadu Food Safety and Drug
Administration Department,
Food Safety Wing,
Trichy District.



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4

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G.R.SWAMINATHAN,J.

PMU

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