



W.P.(MD).No.9073 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 11.08.2025

CORAM

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN**

W.P.(MD).No.9073 of 2019
and
W.M.P.(MD).No.7065 of 2019

R.Senthil Murugan

... Petitioner

Vs.

1.The Chief Secretary,
Government of Tamil Nadu,
Fort St.George,
Chennai – 600 009.

2.The Secretary,
Government of Tamil Nadu,
Health and Family Welfare Department,
Fort St.George,
Chennai – 600 009.

3.The Commissioner of Food Safety,
5th Floor of DMS Office Building,
No.359, Anna Salai,
DMS Campus, Teynampet,
Chennai – 600 018.

4.The Director General of Police,
Tamil Nadu Police,
Kamarajar Salai,
Chennai – 600 004.

... Respondents



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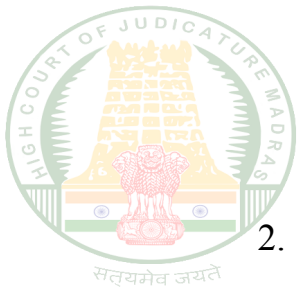
PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus, to call for the records pertaining to G.O.No.132 dated 23.05.2013 passed by the Health and Family Welfare Department of Government of Tamil Nadu and quash the same and consequently modify the said G.O. last line of fourth paragraph as “perpetually from the date of issue of this order.” Instead of “for a period of one year from the date of issue of this order”.

For Petitioner : Mr.R.Senthil Murugan (Party-in-Person)
For R-1 to R-3 : Mr.P.Thilak Kumar
Government Pleader
For R-4 : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM, J.)

In the context of the relief sought for in the present Writ Petition, admittedly, ban is in force for sale of gutkha in the State of Tamil Nadu. The petitioner in person states that inspite of ban, the prohibited gutkhas and other items are made available openly in the market. The police authorities are expected to be vigilant and in the event of any information, take appropriate action without causing any delay.



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2. The learned Additional Public Prosecutor appearing for the fourth respondent would submit that on information, the complaint has been given to the Food Safety Officer and FIR has been communicated.

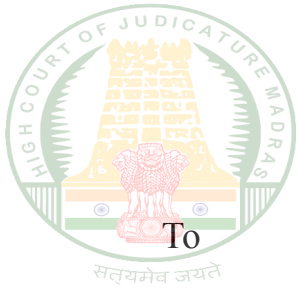
3. However, this Court is of the considered view that actions are inadequate and it has to be accelerated by the police authorities in coordination with the Food Safety Officers holding powers.

4. As far as the challenge made in the Writ Petition is concerned, the Government is periodically extending the ban. That being so, no further interference is required.

5. Accordingly, the Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(S.M.S.,J.) (G.A.M.,J.)
11.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm



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