



W.P(MD)No.18013 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

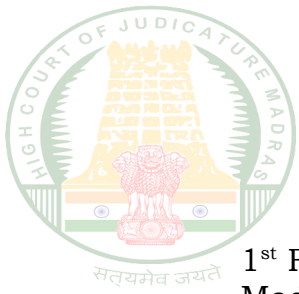
**W.P(MD)No.18013 of 2020
and
W.M.P.(MD) Nos.15033 and 15034 of 2020
and 434 of 2021**

S.Arunnithy

... Petitioner

Vs.

- 1.The Chief Executive Officer,
Food Safety and Standards Authority of India,
FDA Bhavan, Kotla Marg,
Mandi House,
New Delhi-110 021.
- 2.The Secretary to the Government,
Department of Health and Family Welfare,
Fort St. George,
Chennai-600 009.
- 3.The Commissioner,
Tamil Nadu Food Safety and Drug
Administration Department,
5th Floor, DMS Campus,
Teynampet, Chennai-600 018.
- 4.Food Analysis Laboratory,
King Institute Campus,
Guindy, Chennai-600 032.
- 5.The Designated Officer,
Food Safety Department,
Health and Family Welfare Training Campus,



W.P(MD)No.18013 of 2020

WEB COPY

1st Floor, Viswanathapuram,
Madurai-625 014.

6.Madurai Oil and Oil Seeds Association,
Rep., by its Secretary,
36-A, Tahsildar Pallivasan Street,
Madurai-625 001.

... Respondents

**[R6 is impleaded vide Court order dated
18.01.2021 in W.M.P.(MD) No.432 of
2021 in W.P.(MD) No.18013 of 2020]**

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to ensure that the edible oil sold in the market are in accordance with FSSI standards and norms and to take appropriate action on those who are flouting these rules and to take severe penal action on the traders who are involved in adulteration and misbranding or in anyway affecting the standard norms and conditions of FSSI Act and regulations.

For Petitioner	:	Mr.T.Dinesh for M/s.Veera Associates
For Respondent-1 :		Mr.G.Rajaraman
For RR2 to 5	:	Mr.P.Thilakkumar Government Pleader
For R6	:	Mr.B.Saravanan Senior Counsel assisted by Mr.M.Rajarajan



W.P(MD)No.18013 of 2020

ORDER

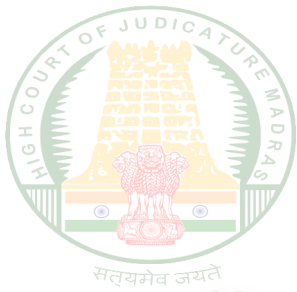
WEB COPY

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

The writ on hand has been instituted seeking direction to the respondents to ensure that the edible oil sold in the market are in accordance with FSSI standards and norms and to take appropriate action on those who are flouting the rules and to take severe penal action on the traders who are involved in adulteration and misbranding or in anyway affecting the standard norms and conditions of FSSI Act and regulations.

2. The learned counsel for the petitioner would submit that adulterated edible oil is being sold in open market, which would result in health hazards and thus, the present Public Interest Litigation came to be instituted.

3. It is brought to the notice of this Court that during the relevant point of time, when the writ petition was pending, sale of edible oil in loose was permitted and subsequently, it was prohibited by the order of the Commissioner of Food Safety and Drug Administration, dated 18.08.2020. For better appreciation, the scanned copy of the order dated 18.08.2020 is reproduced hereunder:



W.P(MD)No.18013 of 2020

WEB COPY

**OFFICE OF THE COMMISSIONER OF FOOD SAFETY AND DRUG
ADMINISTRATION**

R.No.7203/2017/S9/FSSA

Chennai - 600 006,
Dated: 18.08.2020.

Sub:- FSD - Extension of sales of edible oil in loose in Tamil Nadu
State till 31.12.2020 - Instructions issued - Regarding.

- Ref:-
1. This Office Letter R.No.7203/2017/S9/FSSA dated 19.03.2020.
 2. This Office Letter R.No.7203/2017/S9/FSSA dated 02.06.2020.
 3. Representation from Thiru V.Krishnamoorthy, Madurai Oil and Oil Seeds Association dated 03.08.2020.
 4. Representation letter TFMA/General/2020-21/No.0244 dated 04.08.2020 from Thiru S.P. Jayaprakasam, President, Tamil Nadu Food Grains Merchants Association Limited, Madurai.

With reference to the representation 3rd and 4th cited it is informed that in the minutes of the 4th State Level Oil Committee meeting held on 11.03.2020 at Chennai, the Commissioner of Food Safety informed that time extension will not be provided for the sale of Loose Oil and Loose Oil sale will be not be permitted as per 2.3.15 (1) (b) of Food Safety and Standards (Prohibition and Restrictions on Sales) Regulations - 2011 w.e.f. 01.06.2020.

As per reference 2nd cited the sale of edible oil in loose condition has been extended till 31.08.2020. But considering the Covid 19 Pandemic situation the time limit will be extended till **31.12.2020**. From **01.01.2021** if any Food Business Operator sells edible oil in loose condition immediate legal action will be taken against them.

J.RADHAKRISHNAN
COMMISSIONER OF FOOD SAFETY (i/c)

To,
All Designated Officers.

Copy to

1. Thiru V.Krishnamoorthy,
Madurai Oil and Oil Seeds Association,
36, Thasildar Pallivasal Street,
Madurai - 625 001.
2. Thiru S.P. Jayaprakasam, President,
Tamil Nadu Food Grains Merchants
Association Limited,
342, East Masi Street,
Madurai - 625 001.

/true copy forwarded/

For Commissioner of Food Safety

[Signature]
18/8/2020



W.P(MD)No.18013 of 2020

4. In view of the prohibition imposed by the Commissioner of Food Safety and Drug Administration, no further consideration is required in respect of the relief sought for in the present writ petition. Consequently, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

J.]

[S.M.S., J.]

[A.D.M.C.,

29.07.2025

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

abr

To

- 1.The Chief Executive Officer,
Food Safety and Standards Authority of India,
FDA Bhavan, Kotla Marg,
Mandi House,
New Delhi-110 021.
- 2.The Secretary to the Government,
Department of Health and Family Welfare,
Fort St. George,
Chennai-600 009.
- 3.The Commissioner,
Tamil Nadu Food Safety and Drug
Administration Department,
5th Floor, DMS Campus,
Teynampet, Chennai-600 018.

5/7



WEB COPY



W.P(MD)No.18013 of 2020



WEB COPY



W.P(MD)No.18013 of 2020

S.M.SUBRAMANIAM, J.
and
DR.A.D.MARIA CLETE, J.

abr

4.Food Analysis Laboratory,
King Institute Campus,
Guindy, Chennai-600 032.

5.The Designated Officer,
Food Safety Department,
Health and Family Welfare Training Campus,
1st Floor, Viswanathapuram,
Madurai-625 014.

W.P(MD)No.18013 of 2020

29.07.2025