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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :31.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.19522 of 2025

A.Arumugam

... Petitioner

vs.

1.The District Collector,
The Collectorate,
Puthukottai District.

2.The Food Safety Officer,
Dr.Muthulakshmi Government Hospital Campus,
Near Van Market,
Puthukottai.

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the second respondent to permit the petitioner to open the shop based on the representation dated 01.07.2025.

For Petitioner : Mr.S.Prasanth

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader



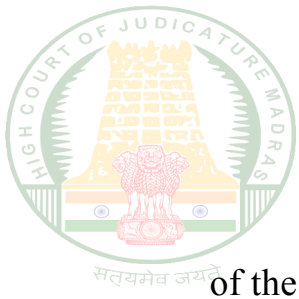
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ORDER

The present Writ Petition has been filed for issuance of a Writ of Mandamus, to direct the second respondent to permit the petitioner to open the shop based on the representation dated 01.07.2025.

2. The learned counsel for the petitioner would submit that the petitioner is running a small shop (Petti kadai) in Alangudi, Arasamaram near bus stop and selling food items like, Chikki, Chocolates, Biscuits, Cigarettes etc. However, the respondents have initiated action against the petitioner for selling Tobacco products in his shop. According to the petitioner, this is a second occurrence and he has already paid penalty for the first time.

3. The learned Additional Government Pleader appearing for the respondents would submit that this is third occurrence and that is why the reason, the second respondent has imposed a penalty of Rs.1,00,000/- (Rupees one lakh only) on the petitioner. To that effect, the proceedings



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of the second respondent dated 25.06.2025 has been produced before this Court. It is seen from the said order that this is the third occurrence.

4. Since the petitioner is running a petty shop, that too, in a remote area, he is not in a position to pay a sum of Rs.1,00,000/-. The petitioner also filed an affidavit of undertaking that henceforth he will not sell any banned goods and will abide by any order of the Court.

5. Based on the undertaking given by the petitioner, this Court is inclined to reduce the fine amount from Rs.1,00,000/- to Rs.20,000/-. The petitioner is directed to pay a sum of Rs.20,000/- to the credit of Government Account through E-Challan in IFHRMS D.P.Code:0210 04 800 AN 22901. On such payment, the respondents are directed to open the shop of the petitioner and on further condition that the petitioner shall not sell any banned food and Gutka's & Tobacco items and to fix the board in his shop stating that "as per the undertaking and order of the Madurai Bench of Madras High Court, there will be no sale of Tobacco items", failing which, his license will be cancelled by the concerned authorities.



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8. With the above direction, the writ petition is disposed of. No costs.

31.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
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Note: Issue Order Copy on 01.08.2025.



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To:

- 1.The District Collector,
The Collectorate,
Puthukottai District.
- 2.The Food Safety Officer,
Dr.Muthulakshmi Government Hospital Campus,
Near Van Market,
Puthukottai.



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S.SRIMATHY, J.

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**ORDER MADE IN
W.P(MD)No.19522 of 2025**

DATED :31.07.2025