



W.P(MD)No. 36095 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :17.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P(MD)No. 36095 of 2025

and

W.M.P.(MD) Nos.28679, 28680 & 28683 of 2025

Anantha Kumar

... Petitioner

Vs

1.The Commissioner
Tamil Nadu Food Safety and Drug Administration,
DMS Campus, 5th Floor,
No.359, Annasalai, Tyenampet,
Chennai - 6.

2.The Food Safety Officer,
Tamil Nadu Food Safety and Drug Administration
Department
Food Safety Wing,
Viruthunagar.

3. The Designated Officer,
Food Safety Office Section,
Aruppukottai Municipality and Region,
Viruthunagar.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the third



W.P(MD)No. 36095 of 2025

respondent herein in Na.Ka.No.2055/A1/2025 dated 05.11.2025 and quash the same as illegal and consequently, direct the respondents to desal the petitioner's Aathiyappan Petty Shop at Aruppukottai Main Road, Therkupatti, Palavanatham, Aruppukottai, Viruthunagar.

For Petitioner : Mr. J.Mohamed Ibrahim
For Respondents : Mr.K.Balasubramani
Special Government Pleader

ORDER

This Writ Petition is filed challenging the impugned order passed by the third respondent dated 05.11.2025. The impugned order was passed under Section 32(3) of the Food Safety and Standards Act, 2006 r/w Rule 2.1.8(4) of the Food Safety and Standard (Food Business Licensing and Registration) Regulations, 2011, wherein the licence issued to the petitioner is temporarily suspended.

2. The learned counsel for the petitioner submitted that even though the appellate remedy is available, in many cases, this Court has entertained and revoked the order of suspension. Therefore, the petitioner has approached this Court.

3. The learned Special Government Pleader for the respondents



W.P(MD)No. 36095 of 2025

submits that no concession can be given to the petitioner, since the petitioner is already involved in similar types of offences and he has nine previous cases. Therefore, the petitioner may be directed to file an appeal before the Appellate Authority.

4. I have considered the submissions made by both sides and perused the records.

5. I find merits in the submission of the learned Special Government Pleader for the respondents, as the petitioner has been involved in nine previous cases. When the appeal remedy is available to the petitioner in terms of Rule 5.2.12 of the Food Safety and Standard (Food Business Licensing and Registration) Regulations, 2011, it would be appropriate for the petitioner to file statutory appeal and therefore, this Court is not inclined to entertain this case.

6. Accordingly, this Writ Petition is dismissed with liberty to the petitioner to approach the Appellate Authority to seek appropriate remedy within a period of two (2) weeks from the date of receipt of a



W.P(MD)No. 36095 of 2025

copy of this order. There shall be no order as to costs. Consequently,
connected miscellaneous petitions are closed.

NCS : Yes/No
Index : Yes / No
Internet : Yes / No
apd

17.12.2025

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W.P(MD)No. 36095 of 2025

KRISHNAN RAMASAMY.,J.

apd

ORDER MADE IN

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17.12.2025