



W.P.(MD)No.1359 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **22.01.2025**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)No.1359 of 2025

Rangarajan

... Petitioner

Vs.

1. The District Collector,
Raja Colony,
District Collector Office,
Trichy.

2. The Food Safety Officer,
Code No.309, Manachanallur Taluk,
O/o.Tamil Nadu Food Safety and Drug,
Administrative Department,
Race Course Road,
Near Jammal Mohammed College,
TVS Tolgate,
Trichy.

3. The Municipality Commissioner,
58, Bharathidasan Salai,
Opp Campion School,
Cantonment,
Trichy.

4. The Assistant Commissioner,
Srirangam Corporation Office,
Opp. Srirangam GH,
Srirangam Zone,
Srirangam Zonal Office,
Gandhi Road, Srirangam, Trichy.



W.P.(MD)No.1359 of 2025

5. The District Fire Officer,
Office at District Court Campus,
Cantonment,
Trichy.

6. Rajakumar

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents to take necessary action against the misusement of the petitioner's shop premises and take proper action against them, as he entered the shop premises without any proper certificate from Authorized officials without any FSSAI license, no objection certificate and trading license, and to direct the respondents 1 - 5 to lock or seal the shop and to vacate the shop and hand over to the petitioner based on the representation given by the petitioner on 11.12.2024.

For Petitioner : Mr.A.Joseph Jerry

For R1, R2 & R4 : Mr.D.S.Neduncheliyan
Government Advocate

For R3 & R5 : Mr.R.B.Law Associates



WEB COPY



W.P.(MD)No.1359 of 2025

ORDER

Mr.D.S.Neduncheliyan, learned Government Advocate takes notice for the respondents 1, 2 and 4 and M/S.R.B.Law Associates, takes notice for the respondents 3 and 5. By consent of both the parties, this writ petition is taken up for final hearing at the admission stage itself.

2. This Writ Petition is filed seeking to consider the petitioner's representation dated 11.12.2024 to take necessary action against the misuse of the petitioner's shop premises without any proper certificate from the Authorized Officials and without any FSSAI license.

3. The petitioner has made a representation on 11.12.2024 to take necessary action against the misusage of the petitioner's shop premises without any proper certificate from the Authorized Officials and without any FSSAI license. Since the same was not considered, the present writ petition came to be filed.

4. The learned Government Advocate appearing for the respondents 1, 2 & 4, on instruction would submit that the sixth respondent had already filed a



W.P.(MD)No.1359 of 2025

writ petition as against the petitioner and the same was dismissed.

WEB COPY

5. Heard the learned counsels on either sides and carefully perused the materials available on record.

6. Considering the limited scope of the relief sought for by the petitioner herein, notice to the sixth respondent is dispensed with.

7. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondent to consider the same on its own merits and pass appropriate orders in one way or other instead of keeping the same pending indefinitely. As such, non-consideration of the representation made by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

8. Without going into the merits of this case, this Court hereby direct the official respondents to consider the representation made by the petitioner and pass appropriate orders in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order, after putting notice on



W.P.(MD)No.1359 of 2025

the sixth respondent and other interested parties and after giving them an opportunity of hearing.

9. Accordingly, this Writ Petition stands disposed of. No costs.

22.01.2025

NCC : Yes / No

Index : Yes / No

jbr

TO:-

1. The District Collector,
Raja Colony,
District Collector Office,
Trichy.

2. The Food Safety Officer,
Code No.309, Manachanallur Taluk,
O/o.Tamil Nadu Food Safety and Drug,
Administrative Department,
Race Course Road,
Near Jammal Mohammed College,
TVS Tolgate,
Trichy.

3. The Municipality Commissioner,
58, Bharathidasan Salai,
Opp Campion School,
Cantonment,
Trichy.



WEB COPY



W.P.(MD)No.1359 of 2025

L.VICTORIA GOWRI, J.

jbr

4. The Assistant Commissioner,
Srirangam Corporation Office,
Opp. Srirangam GH,
Srirangam Zone,
Srirangam Zonal Office,
Gandhi Road, Srirangam, Trichy.

5. The District Fire Officer,
Office at District Court Campus,
Cantonment,
Trichy.

Order made in
W.P.(MD)No.1359 of 2025

Dated
22.01.2025