

Swamy Trades & Enterprises Pvt Ltd vs The Commissioner on 4 April, 2024

W.P(MD)No.3852

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.3852 of 2021

and

W.M.P.(MD)Nos.3078 and 3079 of 2021

Swamy Trades & Enterprises PVT Ltd
represented through its Managing Director
A.Jeyaraman,
S/o.V.S.Alagirisamy Chettiar,
No.257, W.G.C.Road,
Thoothukudi-628002.

... Petitioners

Vs.

1. The Commissioner,
Tamilnadu Food Safety and Drug Administration,
359, Anna Salai,
Chennai-6.
2. The Designated Officer,
Tamilnadu Food Safety and Drug Administration
(Food Safety Wing),
Thoothukudi.
3. Food Safety Officer,
Tamilnadu Food Safety and Drug Administration
(Food Safety Wing),
Thoothukudi Corporation,
Thoothukudi District.

... Respondents

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<https://www.mhc.tn.gov.in/judis>

W.P(MD)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for

records pursuant to the impugned order passed by the second respondent vide proceedings in NA.KA.No.295/A2/2020 dated 19.02.2020 and consequential orders passed in NA.KA.No.295/A2/2020 dated 15.06.2020 and R.No.295/A2/2020 dated 16.12.2020 and quash the same as illegal and against the section and procedure under the food safety standards Act 2006, rules 2011.

For Petitioner : Mr.S.Sarvagan Prabhu

For Respondents : Mr.A.K.Manikkam
Special Government Pleader

ORDER

The Writ Petition has been filed for issuance of a Writ of Certiorari, to call for the records pertaining to the order passed by the second respondent vide proceedings in NA.KA.No.295/A2/2020 dated 19.02.2020 and consequential orders passed in NA.KA.No.295/A2/2020 dated 15.06.2020 and R.No.295/A2/2020 dated 16.12.2020 and quash the same as illegal and against the section and procedure under the food safety and standards Act 2006, rules 2011.

2. When the matter is taken up for hearing today, the learned counsel appearing for the writ petitioner as well as the learned Special https://www.mhc.tn.gov.in/judis Government Pleader appearing for the respondents would submit that the adjudicating officer has already passed the order and imposed fine vide order dated 14.09.2023 and both of them submitted the copies of the order passed by the adjudicating officer.

3. Recording the submissions made on either side, this Writ Petition is dismissed as infructuous. Consequently, connected Miscellaneous Petitions are closed. No costs.

04.04.2024 NCC :Yes/No Index :Yes/No Internet : Yes/ No csm To

1. The Commissioner, Tamilnadu Food Safety and Drug Administration, 359, Anna Salai, Chennai-6.

2. The Designated Officer, Tamilnadu Food Safety and Drug Administration (Food Safety Wing), Thoothukudi.

3. Food Safety Officer, Tamilnadu Food Safety and Drug Administration (Food Safety Wing), Thoothukudi Corporation, Thoothukudi District.

4.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

https://www.mhc.tn.gov.in/judis K.MURALI SHANKAR, J csm Order made in and W.M.P.(MD)Nos.3078 and 3079 of 2021 Dated : 04.04.2024 https://www.mhc.tn.gov.in/judis