

Anuja Thomas vs State Of Kerala on 13 November, 2024

Author: Devan Ramachandran

Bench: Devan Ramachandran

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT

THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

Wednesday, the 13th day of November 2024 / 22nd Karthika, 1946

WP(C) NO. 43260 OF 2023(F)

PETITIONER:

ANUJA THOMAS AGED 25 YEARS D/O THOMAS KIZHAKKEDASSERIYIL HOUSE
ENANALLOOR P.O, KALAMP00R, ERNAKULAM, PIN - 686673

RESPONDENT:

1. STATE OF KERALA REPRESENTED BY CHIEF SECRETARY TO GOVERNMENT OF KERALA, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001
2. THE SECRETARY TO GOVERNMENT OF KERALA, DEPARTMENT OF HEALTH AND FAMILY WELFARE GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001
3. THE FOOD SAFETY COMMISSIONER OFFICE OF COMMISSIONER OF FOOD SAFETY THYCAUD, THIRUVANANTHAPURAM, PIN - 695014
4. THE DIRECTOR OF HEALTH SERVICES DIRECTORATE OF HEALTH SERVICES, GENERAL HOSPITAL JUNCTION, THIRUVANANTHAPURAM, PIN - 695035
5. THE DIRECTOR OF URBAN AFFAIRS GOVERNMENT OF KERALA, GX83+4V4, FIRST FLOOR, SWARAJ BHAVAN, NANTHANCODU, PO, KOWDIAR, THIRUVANANTHAPURAM, PIN - 695003
6. THE DIRECTOR OF PANCHAYATHS SWARAJ BHAVAN, GROUND FLOOR, NANTHANCODU, KOWDIAR P.O, THIRUVANANTHAPURAM, PIN - 695003
7. THE DIRECTOR GENERAL OF POLICE, GOVERNMENT OF KERALA, HEADQUARTERS, VELLAYAMBALAM, THIRUVANANTHAPURAM, PIN - 695010

Writ petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to direct the respondents to do systemic enforcement of provisions of Food Safety and Standards Act 2006 and Regulations 2011 including periodical and recurring inspections and supervisions on the Food Business ensuring stringent penal action against perpetrator.

This petition again coming on for orders upon perusing the petition and the affidavit filed in support of WP(C) and this court's order dated 17.01.2024 and upon hearing the arguments of M/S.SACHIN RAMESH & T.S.ATHIRA Advocates for the petitioner and of GOVERNMENT PLEADER for respondents, the court passed the following:

DEVAN RAMACHANDRAN, J.

=====

WP(C)Nos.19941 & 43260 of 2023

=====

Dated this the 13th day of November, 2024

O R D E R

Sri.Grashious Kuriakose - learned Additional Director General of Prosecution, instructed by Sri.P.M.Shameer - learned Government Pleader, submitted that he will file an affidavit, sworn to by a competent Authority of the Food Safety Department, as to the steps taken to avoid food poisoning in this particular case, as also generally, underpinned on the statutory requirements. He sought two weeks time for this.

Post on 27.11.2024.

Sd/-

DEVAN RAMACHANDRAN JUDGE SAS 13-11-2024 /True Copy/ Assistant Registrar