

Prasanna E.V vs State Of Kerala Represented By ... 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. 19941 OF 2023

PETITIONER:

PRASANNA E.V, AGED 53 YEARS, W/O. LATE NARAYANAN, RESIDING AT
'PADMAM", MATTALAYI, P.O. CHERUVATHUR, KASARAGOD DISTRICT, PIN -
671313

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY SECRETARY, DEPARTMENT OF HEALTH AND FAMILY WELFARE, GOVERNMENT SECRETARIATE, THIRUVANATHAPURAM., PIN - 695036
2. FOOD SAFETY COMMISSIONER, OFFICE OF COMMISSIONER OF FOOD SAFETY, THYCAUD, THIRUVANATHAPURAM, PIN - 695014
3. ASSISTANT COMMISSIONER OF FOOD SAFETY, OFFICE OF THE ASSISTANT COMMISSIONER OF FOOD SAFETY, COLLECTORATE 'F' QUARTER, VIDYA NAGAR, KASARAGOD, PIN - 671123
4. FOOD SAFETY OFFICER, THRIKARIPUR CIRCLE, NEAR VILLAGE OFFICE, NEELESWARAM, KASARAGOD, PIN - 671314
5. CHERUVATHUR GRAMA PANCHAYAT, REPRESENTED BY SECRETARY, GRAMA PANCHAYAT OFFICE, CHERUVATHUR P.O., KASARGOD, PIN - 671313
6. HEALTH INSPECTOR, CHC CHERUVATHUR, V.V. SMARAKA COMMUNITY HEALTH CENTRE, CHERUVATHUR, KASARGODE, PIN - 671313
7. MULLOLI ANEXGAR @ ANEXGAR, AGED 59 YEARS, S/O. LATE MULLOLI MOYI, SAHAYA, 1ST KOLLYA, KOTTEKKAR P.O., ULLAL, MANGALAPURAM, KARNATAKA DISTRICT, PIN - 575022
8. AHAMED.T., AGED 46 YEARS, S/O. ABDUL RAZAK, BISMILLAH HOUSE, OTTAPADAVU, BHEEMANADI VILLAGE, NOW RESIDING AT NEAR RAHMANIYA MADRASSA, PADANNA VILLAGE, KASARAGOD DISTRICT, PIN - 671312

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 issue interim direction to the respondents No. 2 to 4 to submit an interim report as to the measures and steps taken for implementation of the Food Safety and Standards Act, 2006 and Regulation 2011, in the interest of justice.

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 S.S.ARAVIND, M.V.AMARESAN, PREMANAND E. and KARTHIK.V., Advocates for the petitioner, SRI.GRASHIOUS KURIAKOSE, ADDITIONAL DIRECTOR GENERAL OF PROSECUTION along with SRI.RAJEEV JYOTHISH GEORGE, GOVERNMENT PLEADER for R1 to R4 and R6, SRI.M.SASINDRAN, Advocate for R5, M/S T.MADHU, C.R.SARADAMANI, RENJISH S. MENON, VRINDA T.S. and AISWARYA JAYAPAL, Advocates for R7 and R8, the court passed the following:

DEVAN RAMACHANDRAN, J.

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WP(C)Nos.19941 & 43260 of 2023

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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