

Anuja Thomas vs State Of Kerala on 8 January, 2024

Author: Devan Ramachandran

Bench: Devan Ramachandran

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

Monday, the 8th day of January 2024 / 18th Pousha, 1945

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

PETITIONER:

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

RESPONDENTS:

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 21.12.2023 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 8th day of January, 2024

O R D E R

The learned Additional Director General of Prosecution - Sri.Grashious Kuriakose, instructed by Sri.Rajeev Jyothish George, submitted that the Food Safety Authority is still very vigilant with respect to the sale of the food article in question. He added that many steps have already been taken; and that this will be explained to this Court by the Food Safety Commissioner herself, who is willing to appear at 1.45 p.m. on 17.01.2024.

List, therefore, on 17.01.2024.

Sd/-

DEVAN RAMACHANDRAN JUDGE akv 08-01-2024 /True Copy/ Assistant Registrar