

M.Vijayaragavan vs / on 30 January, 2023

W.P.(MD) No.

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.01.2023

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.10915 of 2014

M.Vijayaragavan

... Petitioner

/vs./

1.Commissioner of Food Safety,
DMS Campus,
Tenampet,
Chennai -6.

2.The District Collector,
Thanjavur District,
Thanjavur.

3.Vestige Marketing (P) Limited,
A-94/3 Okhla Industrial Area,
Phase-II,
New Delhi 110 020.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 & 2 to take appropriate action against the 3rd respondent in terms of the Food Safety and Standards Act, 2006 based on the representation dated 09.06.2014.

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

W.P.(MD)

For Petitioner
For R1 & R2

: Mr.M.Suresh Kumar
: Mrs.D.Farjana Ghoushia
Special Government Pleader
: Mr.S.Saravana Muthu

For R3

ORDER

The writ petition is seeking for a Mandamus to direct the respondents 1 and 2 to take proper action against the third respondent in terms of the Food Safety and Standards Act, 2006, based on the representation dated 09.06.2014.

2.The averment made in this writ petition is that the third respondent is carrying on business without any licence and hence, the petitioner has sent a representation to the respondents 1 and 2 to take action against the third respondent. As no action was taken against the third respondent, the petitioner had preferred this writ petition.

3.Today, the learned counsel for the third respondent had produced licences issued to the third respondent as early as in the year 2012. He would further submit that the licences have been periodically renewed. He had also produced a copy of the licences issued in favour of the third respondent.

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4.In view of the same, I do not find any reason to direct the respondents 1 and 2 to consider the representation of the petitioner. However, it is always open to the first respondent to initiate appropriate action, if the third respondent violates any of the conditions imposed under the licences issued to them.

5.In fine, the Writ Petition fails and is dismissed. However, there shall be no order as to costs.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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To

1.Commissioner of Food Safety,
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K.KUMARESH BABU, J.

mm 30.01.2023 <https://www.mhc.tn.gov.in/judis>