

# G.Sudheeshkumar vs State Of Kerala on 15 February, 2022

**Author: P.V.Kunhikrishnan**

**Bench: P.V.Kunhikrishnan**

WP(C) NO. 21739 OF 2012

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IN THE HIGH COURT OF KERALA AT ERNAKULAM  
PRESENT

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN  
TUESDAY, THE 15TH DAY OF FEBRUARY 2022 / 26TH MAGHA, 1943  
WP(C) NO. 21739 OF 2012

PETITIONER/S:

G.SUDHEESHKUMAR  
AGED 60 YEARS  
PROPRIETOR, HOTEL SEA FACE, BEACH ROAD,  
THIRUVANANTHAPURAM-695527.

BY ADVS.  
SRI.C.S.AJITH PRAKASH  
SRI.PAUL C THOMAS  
SRI.T.D.SALIM  
SRI.C.S.YESUDAS

RESPONDENT/S:

- 1 STATE OF KERALA  
REPRESENTED BY ITS SECRETARY, HEALTH FAMILY WELFARE  
DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001.
- 2 COMMISSIONER OF FOOD SAFETY KERALA  
THYCAUD, THIRUVANANTHAPURAM-695014.
- 3 DESIGNATED OFFICER  
UNDER THE FOOD SAFETY ACT, THIRUVANANTHAPURAM  
DISTRICT, THIRUVANANTHAPURAM-695001.

BY ADV GOVERNMENT PLEADER

OTHER PRESENT:

SMT.VIDYA KURIAKOSE, GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 15.02.2022, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

WP(C) NO. 21739 OF 2012

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P.V.KUNHIKRISHNAN, J

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W.P.(C.) No. 21739 of 2012  
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Dated this the 15th day of February, 2022

JUDGMENT

The above writ petition is filed with following prayers :

(i) "to call for the records leading to Exhibit P2 and P4 and quash the same by issuance of Writ of Certiorari or any other appropriate Writ, direction or order.

(ii) to declare that issuance of notice directing to compound violations of the provisions of the Food Safety and Standards Act, without adjudicating the said violation is illegal by issuance of a writ of mandamus or any other appropriate writ or direction or order;

iii. to issue such other writ, direction or order which this Hon'ble Court may deem fit just and proper in the circumstances of the case and iv. to award cost of the proceedings."

2. When this matter came up for consideration, the learned counsel for the petitioner submitted that probably, the prayers in this writ petition have become infructuous.

Therefore, this writ petition is closed, in the light of the above submission.

Sd/-

P.V.KUNHIKRISHNAN JUDGE SKS APPENDIX PETITIONER'S EXHIBITS:

EXT.P1 A TRUE COPY OF LICENCE DOCUMENT DATED 2.4.12 ISSUED BY THE DESIGNATED OFFICER, THIRUVANANTHAPURAM EXT.P2 A TRUE COPY OF THE NOTICE DATED 20.7.2012 ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER.

EXT.P3 A TRUE COPY OF THE APPEAL PETITION DATED 26.7.12

EXT.P4 A TRUE COPY OF THE CIRCULAR DATED 25.7.2012 ISSUED BY THE 2ND RESPONDENT

EXT.P5 A TRUE COPY OF THE INTERIM ORDER DATED 11.9.2012 IN

RESPONDENT'S EXHIBITS :

EXT.R3(A) COPY OF THE CIRUCLAR NO.D-885/1/CFS DATED 5.8.2011  
EXT.R3(B) COPY OF THE ORDER NO.A-1878/2012/CFS DATED 20.7.2012.

//TRUE COPY// P.A. TO JUDGE SKS