

M/S.Uniqeline vs The Authorized Officer on 21 January, 2022

Author: M.Dhandapani

Bench: M.Dhandapani

W.P.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.14348 of 2021

And

W.M.P.No.15235 of 2021

M/s.Uniqeline
Rep. by its Proprietor
Mr.A.Prabhakaran

... Petitioner

Vs.

The Authorized Officer
Food Safety and Standards Authority of India
GOI, Ministry of Health and Family Welfare
Chennai Port Trust, Rajaji Salai,
Chennai – 600 001.

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India
issue a Writ of Mandamus directing the respondent herein to lift the
alert/ comments made in the online portal of
09.04.2021, as against the petitioner proprietorship
M/s.Uniqeline (FSSAI ID No:ANUPP4153ECH001) and consequently to
allow/ permit the petitioner to operate through the online portal of
respondent/ FSSAI by also considering the representation of the
petitioner dated 19.04.2021.

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

W.P.No.1

For Petitioner : Mr.S.Baskaran
For Respondent : Mr.Su.Srinivasan

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondent to lift the alert/ comments made in the online portal of FSSAI dated 09.04.2021, as against the petitioner proprietorship concern, M/s.Uniqeline (FSSAI ID No:ANUPP4153ECH001) and to consequently to allow/ permit the petitioner to operate through the online portal of respondent/ FSSAI by also considering the representation of the petitioner dated 19.04.2021.

2.The case of the petitioner is that the petitioner concern is a proprietorship concern, originally issued with Custom House Agent (in short CHA) CHA License by the Commissioner of Customs, Chennai in the year 2010 and valid upto 2030 with one A.Prabhakaran being the Authorized Signatory and Proprietor of CHA concern and has been authorized to transact business as Custom House Agent.

3.The further case of the petitioner is that the respondent <https://www.mhc.tn.gov.in/judis> without proving any fault or malafide as against the petitioner uploaded the comment 'Kindly note that no application submitted by the CHA M/s.Uniqeline for FSSAI clearance will be processed till the investigation on the matter regarding the customs clearance taken for the FSSAI Rejected product pertaining to Bill of Entry no.7930036 dated 17.06.2020 filed by the CHA on behalf of importer M/s.Amphora Commodities Pvt. Limited is completed' in their official website, thereby restraining the petitioner from further acting as CHA and the same had totally crippled the business activities of the petitioner. In this regard, the petitioner made representation to the Chairman, FSSAI and other Higher Authorities with copy marked to the respondent and since the same evoked no response, has filed this writ petition.

4.The learned counsel appearing for the petitioner submitted that during the pendency of this writ petition, the said portal comment was removed and during December, 2021, the petitioner made five applications and all the five applications were already forwarded and subsequently the petitioner was allowed to operate the bill of entry on behalf of the importers and hence, nothing survives <https://www.mhc.tn.gov.in/judis> for adjudication in this writ petition.

M.DHANDAPANI,J.

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5.Recording the submission made by the learned counsel appearing for the petitioner, this writ petition is closed. No costs. Consequently, the connected miscellaneous petition is closed.

21.01.2022 pri Speaking Order/ Non Speaking Order Index: Yes/ No Internet: Yes/ No To The Authorized Officer Food Safety and Standards Authority of India GOI, Ministry of Health and Family Welfare Chennai Port Trust, Rajaji Salai, Chennai – 600 001.

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