

**BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI**

**M.A. No. 242 of 2013 (SZ) and  
M.A. No. 103 of 2013 (SZ)**

**In**

**Application No. 40 of 2013 (SZ) (*Suo Motu*)**

**Application No. 334 of 2013 (SZ)**

Applicant(s)  
M/s. Aqua Shifa Lab., Uttampalayam

**Application No. 335 of 2013 (SZ)**

Applicant(s)  
M/s. Shree Jagan Aqua Industries, Ambattur, Chennai

**Application No. 336 of 2013 (SZ)**

Applicant(s)  
M/s. Vallalar Aqua Labs, Thirumangalam, Madurai

**Application No. 337 of 2013 (SZ)**

Applicant(s)  
M/s. PSD Aqua, Kudiyattam Taluk, Vellore

**Application No. 338 of 2013 (SZ)**

Applicant(s)  
M/s. Velmurugan Aqua Minerals, Madurai

**Application No. 339 of 2013 (SZ)**

Applicant(s)  
M/s. Ambika Enterprises, Manjambakkam, Chennai

**Application No. 340 of 2013 (SZ)**

Applicant(s)  
M/s. Vasantham Enterprises, Attipet Periya Colony, Chennai

**Application No. 341 of 2013 (SZ)**

Applicant(s)  
M/s. Aquamax Beverage Food Products, Ambattur, Chennai

**Application No. 342 of 2013 (SZ)**

Applicant(s)

M/s. Shree Lakshi Aqua, Kaveripattinam, Krishnagiri

**Application No. 343 of 2013 (SZ)**

Applicant(s)

M/s. Shivasakthi Aqua Systems, Porur, Chennai

**Application No. 344 of 2013 (SZ)**

Applicant(s)

M/s. Nayagara Natural Products, Pettaikulam, Thirunelveli Distrct.

**Application No. 345 of 2013 (SZ)**

Applicant(s)

M/s. Sanjay Aqua Industries, Kosapet, Chennai

**Application No. 346 of 2013 (SZ)**

Applicant(s)

M/s. Amman Aqua, Attur, Salem District

**Application No. 347 of 2013 (SZ)**

Applicant(s)

M/s. Kavitha Mineral Water, Old Pet, Krishnagiri

**Application No. 348 of 2013 (SZ)**

Applicant(s)

M/s. MM Squa Products, Madurai

**Application No. 349 of 2013 (SZ)**

Applicant(s)

M/s. Seven Hills Food Products, Reddiyarchattiram, Dindivul

**Application No. 350 of 2013 (SZ)**

Applicant(s)

M/s. RSS Aqua Form, Perambur, Chennai

**Application No. 351 of 2013 (SZ)**

Applicant(s)

M/s. Himalayan Aqua Forms, Red Hills, Chennai

**Application No. 352 of 2013 (SZ)**

Applicant(s)  
M/s. Suseela Gopalakrishnan Associates, Idaipatti, Madurai

**Application No. 353 of 2013 (SZ)**

Applicant(s)  
M/s. Kuttralam Water Company, Ponniammanmedu, Chennai

**Application No. 354 of 2013 (SZ)**

Applicant(s)  
M/s. Goodluck Aqua, Avadi, Chennai

**Application No. 355 of 2013 (SZ)**

Applicant(s)  
M/s. Karukvel Ayyanar Enterprises, Chennai

**Application No. 356 of 2013 (SZ)**

Applicant(s)  
M/s. Karuna Enterprises, Kodachenenthal Post, Madurai

**Application No. 357 of 2013 (SZ)**

Applicant(s)  
M/s. Adhisayaraa Aqua Enterprises, Ambattur, Chennai

**Application No. 358 of 2013 (SZ)**

Applicant(s)  
M/s. Mamta Aqua, Red Hills, Chennai

**Application No. 359 of 2013 (SZ)**

Applicant(s)  
M/s. Raja Muruti Industries, Vagaikulam Post, Madurai

**Application No. 360 of 2013 (SZ)**

Applicant(s)  
M/s. Nature Aqua Forms, Edapalayam, Red Hills, Chennai

**Application No. 361 of 2013 (SZ)**

Applicant(s)  
M/s. Jayam Aqua Products, Melur Taluk, Madurai

**Application No. 362 of 2013 (SZ)**

Applicant(s)  
M/s. ManjuAqua Products, Kodungaiyur, Chennai

Versus

The Food Safety and Standards Authority of India,  
New Delhi and others

Respondent(s)

Legal Practitioners for Applicant(s)  
R.N. Ramanathan, P. Udaya and  
A.N. Kannan, Advocates

Legal Practitioners for Respondents  
Shri R. Suresh Kumar, Advocate  
for R-1 and R2  
M/s. M.K. Subramanian and  
M.R. Gokul Krishnan, Advocates for R-3  
Smt. Rita Chandrasekar, Advocate for R-4

**Application No. 266 of 2013 (SZ)**

Applicant(s)  
M/s. Karuna Enterprises  
Chennai

Vs.

Respondent(s)  
The TNFS and DAD  
Chennai and another

Legal Practitioners for Applicant(s)  
Party-in-person

Legal Practitioners for Respondents  
M/s. M.K. Subramanian and  
M.R. Gokul Krishnan, Advocates  
for R-1 and R-2

Note of the Registry	Orders of the Tribunal
Order No. 5	Date: 25 <sup>th</sup> February 2014  When the matter is taken up for hearing this day, the counsel for the parties are present. It is represented by the counsel appearing for the applicants that all their applications seeking product approval are pending in the hands of the Food Safety ad Standards Authority of India for quite a long time and in the last hearing, the Tribunal issued an order to the Food Safety and Standards Authority of India to consider their applications

within a period of 2 weeks.

The learned counsel for the Food Safety and Standards Authority of India would submit that the Writ proceedings challenging the order issued by the Authority for the approval of this subject matter is pending before the Hon'ble High Court of Bombay where a stay was originally granted and since the opinion of the judges were divided, the matter is likely to be posted before a larger Bench of the Hon'ble High Court of Bombay and the Food Safety and Standards Authority of India is a party in the proceedings. Under the circumstance, in order to take a decision on the applications filed by the applicants herein, the Food Safety and Standards Authority of India is awaiting the orders of the Hon'ble High Court of Bombay. The counsel further adds that before a decision is taken by the Hon'ble High Court of Bombay, it would not be fit or proper on their part to take a final decision on the applications made by the applicants' units pending in their hands.

At this juncture, the counsel for the applicants would submit that the pending proceedings before the Hon'ble High Court of Bombay will not stand in the way of consideration of their applications.

The Tribunal is able to see force in the contentions putforth by the counsel for the Food Safety and Standards Authority of India. It is brought to the notice of the Tribunal that the particular order issued by the FSSAI of Government of India is pending before the Hon'ble High Court of Bombay and the subject matter would also be covered in those proceedings. Issuing a direction to the Food

Safety and Standards Authority of India to consider and pass orders on the applications made by the applicants and pending before the Food Safety and Standards Authority of India, in the opinion of the Tribunal, would not be proper and hence in view of the reasons recorded above, the applications are adjourned to **30.04.2014**.

Prof. Dr. R. Nagendran  
(Expert Member)

Justice M. Chockalingam  
(Judicial Member)

