

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

**MONDAY, THE EIGHTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN**

WRIT PETITION NO: 31368 OF 2025

Between:

M/s Gajanand Enterprises, Rep. by its Proprietor Rajpurohit Jabbar Singh, H.No.12-1-101/3, Pinnavari Street Warangal, Warangal Urban Warangal District Telangana-506002

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, health, Medical and Family Welfare Department, Secretariat, Hyderabad
2. The Principal Secretary to the Government, Home Department, State of Telangana, T.S. Secretariat, Hyderabad
3. The Commissioner of Food Safety, Telangana Directorate of Institute of Preventive Medicine Public Health Labs and Food (Health) Administration, Narayanaguda, Hyderabad.
4. The Director General of Police, Telangana State Police Headquarters, Lakdikapul, Hyderabad.
5. The Superintendent of Police, Nalgonda, Nalgonda District.
6. The Commissioner of Commercial Taxes, Telangana State, C.T. Complex, Nampally, Hyderabad.
7. The Union of India, Rep. by its Secretary, Ministry of Health and Family Welfare, Room No.348, A Wing, Nirman Bhavan, New Delhi
8. Food Safety and Standards Authority of India, Rep. by its CEO, 3rd and 4th Floors, FDA Bhavan, Kotla Road, New Delhi.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue writ, order or direction especially one in the Nature of Writ of Mandamus declaring the Notification Notification 542/FSS-1/2025 dt.24-05-2025

issued by the 3rd respondent as illegal, arbitrary, unjust, unconstitutional, ultra virus of the Cigarettes and other Tobacco Products (Production of Advertisement Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003, in violation of principles of natural justice and in violation of Articles 14, 19 and 21 of the Constitution of India and set aside the same and consequently direct the respondents not to interfere in any manner with the trade and business carried out in the products that fall within the said notification by the petitioner or its personnel and the persons/entities to whom is supplied those products.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of the Notification 542/FSS-1/2025 dt.24-05-2025 issued by the 3rd respondent in so far as the petitioner-trader is concerned, pending disposal of the main writ petition.

Counsel for the Petitioner : SRI Y.BALA MURALI

**Counsel for the Respondent No.1&3 : SRI TANDRA RAMESH,
AGP FOR MEDICAL HEALTH FW**

Counsel for the Respondents No.2,4&5 : SRI MAHESH RAJE, GP FOR HOME

Counsel for the Respondents No.6 : --

**Counsel for the Respondents No.7&8 : SRI L.PRANATHI REDDY,
SC FOR CENTRAL GOVERNMENT**

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND

THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

WRIT PETITION No. 31368 of 2025

DATED : 08.12.2025

Between:

M/s. Gajanand Enterprises

... Petitioner

AND

The State of Telangana,
Rep. by its Principal Secretary,
Health, Medical & Family Welfare Department,
Secretariat, Hyderabad and seven others

... Respondents

ORDER:

Sri Y. Bala Murali, learned counsel appears for petitioner.

Sri Tandra Ramesh, learned Assistant Government Pleader appears for respondent No.1.

Sri Mahesh Raje, learned Government Pleader for Home appears for respondent Nos.2, 4 and 5.

Ms. L. Pranathi Reddy, learned Senior Standing Counsel for Central Government, appears for respondent Nos.7 and 8.

2. This Writ Petition is filed with the following prayer:

"For the reasons stated in the accompanying affidavit, the petitioner prays that this Hon'ble Court may be pleased to issue writ, order or direction especially one in the Nature of Writ of Mandamus declaring the Notification 542/FSS-1/2025 dt.24.05.2025 issued by the 3rd respondent as illegal, arbitrary, unjust, unconstitutional, ultra virus of the Cigarettes and other Tobacco Products (Production of Advertisement Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003, in violation of principles of natural justice and in violation of Articles 14, 19 and 21 of the Constitution of India and set aside the same and consequently direct the respondents not to interfere in any manner with the trade and business carried out in the products that fall within the said notification by the petitioner or its personnel and the persons/entities to whom is supplied those products."

3. Learned counsel for the petitioner seeks permission of this Court to withdraw the instant Writ Petition with liberty to the petitioner to file a fresh Writ Petition.
4. Learned counsel appearing for respondent Nos.1, 2, 4, 5, 7 and 8 report no objection.
5. Accordingly, without making any comment on the merits of the case of the petitioner, the instant Writ Petition is

dismissed as withdrawn with liberty to the petitioner to file a fresh Writ Petition. There shall be no order as to costs.

Miscellaneous applications, if any pending, shall stand closed.

//TRUE COPY//

SD/-S. MALLIKARJUNA RAO
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. One CC to SRI Y.BALA MURALI, Advocate. [OPUC]
2. Two CCs to GP FOR MEDICAL HEALTH FW, High Court for the State of Telangana. [OUT]
3. Two CCs to GP FOR HOME, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to SMT.L.PRANATHI REDDY, SC FOR CENTRAL GOVERNMENT. [OPUC]
5. Two CD Copies.

BSK

LS *VS*

HIGH COURT

DATED:08/12/2025



ORDER

WP.No.31368 of 2025

**DISMISSING THE WRIT PETITION
AS WITHDRAWN
WITHOUT COSTS**

9 copies
to
17/12/25