



7031  
J. Kothari

FORM III - A  
IN THE HIGH COURT OF KARNATAKA AT BANGALORE

WRIT PETITION NO 17958 / 2009 (GM-RES)

PIK

Notice under Rule 13(a) proviso

THE CANCER PATIENTS AID ASSOCIATION HAVING ITS  
REGTD OFFICE AT 5, MALHOTRA HOUSE, OPP:  
GPO, MUMBAI-400001. HAVING ITS BANGALORE  
BRANCH OFFICE AT: 746, 8TH CROSS, 10TH  
MAIN, INDIRANAGAR 2ND STAGE, BANGALORE-  
560008. REPT BY ITS CHAIRMAN AND  
FOUNDING MEMBER MR.YOGENDRA K. SAPRU

By Sri JAYNA KOTHARI  
Vs

Respondents

- 1 THE STATE OF KARNATAKA HEALTH AND FAMILY WELFARE  
DEPARTMENT DIRECTORATE OF HEALTH AND  
FAMILY WELFARE SERVICES ANAND RAO CIRCLE  
BANGALORE-560009.  
REP BY ITS PRINCIPAL SECRETARY
- 2 THE STATE ANTI-TOBACCO CELL  
ANAND RAO CIRCLE BANGALORE-560009  
REP BY ITS CHAIR PERSON
- 3 THE STATE OF KARNATAKA  
DEPARTMENT OF PRE-UNIVERSITY EDUCATION  
18TH CROSS, MALLESHWARAM, SAMPIGE  
ROAD, BANGALORE  
REP BY ITS CHAIR COMMISSIONER
- 4 THE STATE OF KARNATAKA DEPARTMENT OF  
EDUCATION (PRIMARY AND SECONDARY)  
ROOM NO. 641, 6TH FLOOR, M.S. BUILDING,  
BANGALORE-560001.  
REP BY ITS PRINCIPAL SECRETARY
- 5 THE BRUHAT BANGALORE MAHANAGARA PALIKE (BBMP)  
BANGALORE, REP BY ITS COMMISSIONER
- 6 THE COMMISSIONER OF POLICE OFFICE OF THE  
COMMISSIONER OF POLICE, INFANTRY ROAD,  
BANGALORE

(Govt. Adv. for R1 to R4 and R6).

Whereas, a Writ Petition filed by the above named  
petitioner under Article 226 of the Constitution of India, as  
in the copy annexed hereunto, has been registered by this court.

Notice is hereby given to you to appear in this court in  
person or through an Advocate duly instructed or through some  
one authorised by law to act for you in this case, at 10.30 AM  
in the forenoon within 10 days of the service of this notice  
to show cause why rule nisi should not be issued.

If you fail so to appear on the said date or any subsequent  
date to which the matter may be posted as directed by the  
court without any further notice, the petition will be  
dealt with, heard and decided on merits in your absence.

This certified copy contains.....  
Pages and Court Fee Stamps of Rs. ....  
is affixed.

Contd..2/-..



a) The date on which the application  
was made ..... 27/09  
b) The date on which charges and addl.  
charges, if any, are called for .....  
c) The date on which the charges and addl.  
charges if any, are deposited .....  
d) The date on which the copy is ready ..... 4/7/09  
e) The date of notifying that the copy is  
ready for delivery .....  
f) The date on which copy is delivered to  
the application ..... 4/7/09

-: 2 :-

INTERIM ORDER

Pending issue of Rule nisi in the aforesaid Writ Petition it is hereby ordered by this Court on Monday THE 29 DAY OF June 2009

PRESENT

The Hon'ble CHIEF JUSTICE  
AND

The Hon'ble Mr. Justice V.G. SABHAHIT  
as follows:-

The Learned Govt. Advocate to take notice for R1 to R4 and R6.  
Issue notice to R5.

The respondents are directed to implement Section-6 of the COTPA Act in spirit and substance and file the action taken report.

Call after six weeks.

Sd/-  
CHIEF JUSTICE

Sd/-  
JUDGE.

COPY

B. Narasimha Murthy 3/7/09

ASSISTANT REGISTRAR

V-3/7

Note:- It is prayed to direct the respondent No.3 and respondent No.4 State Departments to immediately direct all heads of educational institutions in Bangalore City to strictly implement Section 6 (b) of COTPA by ensuring that there is no sale of cigarettes or tobacco products within 100 yards of the institution, and to exhibit a board at a conspicuous place outside their premises stating that sale of tobacco within 100 yards is prohibited and that it is a punishable offence and to pass appropriate orders directing that teachers and staff in all educational institutions cannot smoke within the premises.



B. Narasimha Murthy 3/7/09  
Assistant Registrar

V-3/7

TRUE COPY

Section Officer  
3/7/09