

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THE 06TH DAY OF APRIL 2010

PRESENT

THE HON'BLE MRS. JUSTICE MANJULA CHELLUR
AND
THE HON'BLE MR. JUSTICE MOHANSHANTANA GOUDAR

WRIT PETITION NO 17958 / 2009 (GM-RES)

Petitioner

- 1 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 Smt JAYNA KOTHARI
Vs

Respondent

- 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

(SRI K.V. Narasimhan Adv. for R5, GA for RI to 4 & R6)

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

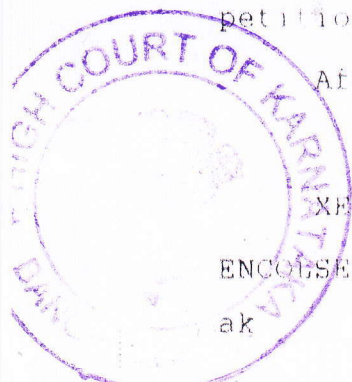
Misc.W.No.2435/2010 filed by the Advocate for the
petitioner praying to issue Disrections.

After hearing, the Court made the following:-

O R D E R

XEROX COPY OF THE ENTIRE ORDER DATED 06-04-2010 IS
ENCLOSED HEREWITH SEPARATELY.

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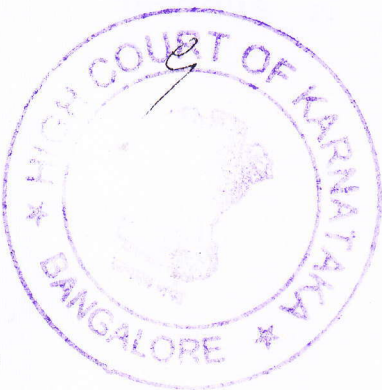


6-4-2010

ORDER ON MISC.W.2435/2010

Having gone through the application filed for issuance of directions and on hearing Mr.Anand Grover, learned senior counsel representing the petitioners, we direct the 3rd and 4th respondents to look into the matter and submit whether any measures are taken to comply with the procedure and the Rules made thereunder to prohibit or ban the sale of tobacco and tobacco products within 100 yards from the educational institutions either the School or the College concerned.

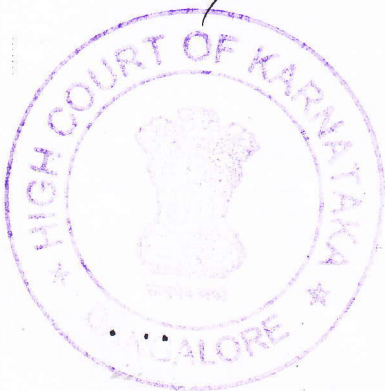
We specifically direct the 3rd and 4th respondents to see that Display Boards banning such sale, shall be put up compulsorily by the institutions concerned and



proper circulars have to be issued to the concerned Departments of 3rd and 4th respondents.

Meanwhile, we also direct the 5th respondent to make an inspection with the assistance of the petitioner to find out whether there is such sale of tobacco and tobacco products within 100 yards from the educational institutions coming in the jurisdiction of 5th respondent. They are also directed to file a report to the effect that how many such shops/hawkers/sellers are situated and whether they have taken any measures to make inspections at random to find out what exactly is happening so far as the sale of tobacco and tobacco products are concerned.

Misc.W.2435/2010 for direction, is **allowed** accordingly.



Call after two weeks.

Office is directed to issue copy of this order to all
the learned advocates appearing for the parties

COPY

B. Narasimha

No.

15/4/10

Assistant Registrar
High Court of Karnataka
Bangalore - 560 001

15/4/10

15/4/10

Sd/-
JUDGE
Sd/-
JUDGE

