



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-07-2026

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THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

WP No. 5129 of 2025

V.Venkatesan

No. 95, Naidu Street, Londonpettai, Krishnagiri

..Petitioner(s)

Vs

1. The District Collector
Krishnagiri District
2. The Revenue Distrit Officer,
Krishnagiri District
3. The Commissioner
Krishnagiri Municipality, Krishnagiri
4. The Superintendent Of Police
Krishnagiri
5. The Food Safety Officer
Krishnagiri District 635 115.
6. Abubakar Prop Araf Beef Briyani
T.B Link Road (opposite To Venkataswamy
Naidu St London Pet -ii, Krishnagiri 635 001.

..Respondent(s)



Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of writ of mandamus, directing the respondents 1 and 3 to take immediate and effective steps within a time frame fixed by this Honourable Court for removing the shop of the 6th Respondent viz, Abubakar prop Araf Beef Briyani T.B link Road (opposite to Venkataswamy Naidu Street London Pet -II Krishnagiri 635001 situated on the left side of Arulmigu Sree Varasakthi Vinayagar Thirukoil, TN Link Road, Londonpettai, Krishnagiri to some other place and pass orders.

For Petitioner: Mr. A. Lakshminarasimhan

For Respondents: Mr. M. Sivavarthanan, GA – R1, R2 & R5

Mr. A. Arun

For Dr. T. Seenivasan – R3

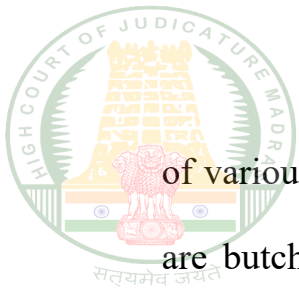
Mr. Durai Gunasekaran – GA (Crl. side) – R4

Mr. J. Pradeep – R6

ORDER

The petitioner is before this Court seeking a direction to respondents 1 and 2 to take immediate and effective steps to remove the shop run by the 6th respondent, where non-vegetarian biryani is being sold.

2. The petitioner claims to be the Dharmakarta of Arulmigu Varasakthi Vinayagar Temple situated at TM Link Road, London Pettai, Krishnagiri. According to the petitioner, the temple has been in existence for over 500 years. It is contended that the 6th respondent has established a shop under the name “Arab Beef Biryani” at a distance of about 15 feet from the temple, where meat



of various animals, including beef, is sold. It is further alleged that live animals are butchered at the premises, resulting in foul smell due to the shedding of blood and accumulation of animal waste, thereby disturbing the peaceful atmosphere required for performing religious rituals and causing inconvenience to the devotees.

3. Pursuant to the directions of this Court, an inspection was conducted on 04.04.2025 at 11.00 a.m. by officials of the Food Safety Department and the Krishnagiri Municipality. The inspection report states that the biryani stall is maintained in a hygienic manner in conformity with the applicable food safety regulations and is not causing any disturbance to the devotees of the temple. It further records that the stall operates only between 11.00 a.m. and 4.00 p.m. and between 7.00 p.m. and 10.00 p.m., and that no written complaints have been received from the general public regarding any disturbance caused by the establishment.

4. The report also notes that the biryani stall is situated at a distance of approximately 6.5 metres from the temple, about 15 metres from the Miracle Jesus Prayer House, and approximately 6.5 metres from the Aksha Masjid. It is further recorded that the 6th respondent is carrying on the business pursuant to a valid trade licence issued by the competent authority, which continues to remain in force. Admittedly, the petitioner has not challenged the grant of the said trade licence.

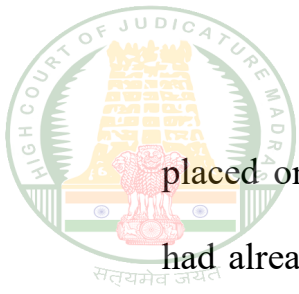


5. The inspection report further records that the temple, mosque, Christian prayer house, and the biryani stall have been peacefully co-existing without any reported issues. In view of the above factual findings, the prayer of the petitioner seeking removal of the biryani stall cannot be granted.

6. The petitioner has placed reliance upon the Food Safety and Standards (Licensing and Registration of Food Businesses) Regulations, 2011, contending that a licensed meat shop should not be located within 60 metres of a place of worship. However, in the present case, the 6th respondent has not been granted a licence to operate a meat shop; rather, the licence is for running a non-vegetarian biryani stall. Therefore, the said Regulations have no application to the facts of the present case.

7. Learned counsel for the petitioner has also relied upon the decision of the ***High Court of Telangana in W.P. No.39344 of 2025***, wherein directions were issued to the State authorities to frame an appropriate policy regulating the sale and consumption of meat and non-vegetarian food within a distance of 100 metres from places of public worship, educational institutions and hospitals, keeping in view the religious sentiments of devotees, hygiene, serenity, law and order, and traffic considerations.

8. Learned counsel further relied upon paragraph 15 of the said judgment, wherein the Telangana High Court observed that, based on the photographs



placed on record, a live kitchen counter (popularly known as a kebab centre) had already been installed by the petitioner therein under the name “NRI Live Kitchen”, which, in all probability, could be used for cooking and selling meat and other non-vegetarian food.

9. A reading of the aforesaid judgment makes it clear that the Telangana High Court merely directed the State authorities to frame an appropriate policy governing the sale and consumption of meat and non-vegetarian food near places of worship and other specified institutions. In the absence of any statutory provision or binding policy imposing restrictions on the operation of a non-vegetarian biryani stall within the vicinity of a place of worship, no direction can be issued for removal of the 6th respondent’s establishment.

10. Accordingly, the writ petition is dismissed, reserving liberty to the petitioner to challenge the trade licence granted to the 6th respondent, if so advised and permissible in law. There shall be no order as to costs.

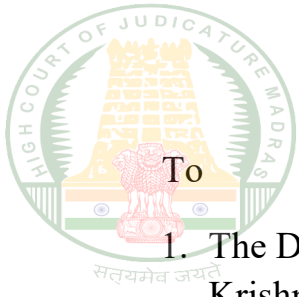
08-07-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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HEMANT CHANDANGOUDAR, J.

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