

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.02.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. No.4806 of 2014 &
M.P.Nos.1 & 2 of 2014

Thadavoor Town Panchayat
rep. By its President,
P.Venkatsan ... Petitioner

Vs.

The District Collector
District Collectorate
Salem 636 116. ... Respondent

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue Writ of Certiorarified mandamus, to call for the records of the respondent in Na.Ka.No.259/2014/D dated 7.2.2014 and quash the same and consequently direct the respondent grant permission to us to conduct weekly cattle market on Saturday in our village.

For Petitioner : Mr.R.Premkumar

For Respondent : Mr.R.Vijayakumar
Addl.Govt. Pleader

सत्यमेव जयते
O R D E R

By consent of the learned counsels on either side, the writ petition is taken up for final disposal.

2.Heard Mr.R.Premkumar, learned counsel appearing for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader appearing for the respondent.

3.The petitioner is the Town Panchayat and they have filed this Writ Petition challenging the order dated 07.02.104, by which the respondent has rejected permission sought for by the petitioner for conducting 'Weekly Cattle Market' on Saturdays.

4.The petitioner would state that there are about 11,000 people living in the village and most of them are depending on agriculture and and milk production and submitted that the people of the village are supplying more than 20,000 litres of milk per day to the Milk Co-operative Society and private parties. It is submitted that recently, the population of the cattle has increased in the village, however, since there are no industries in the village, the revenue of the entire Town Panchayat is very low. Therefore, a resolution was passed to conduct Weekly Cattle Market on Saturdays along with Saturday Weekly Market, where other things like vegetables, pots, etc., weree sold. It is submitted that successfully for the past three years, the Panchyat was able to collect necessary fees and during the year 2000 on account of severe drought, the 'Weekly Market' was not conducted and therefore, the people of the Panchayat were forced to take the cattle for long distance and the same was resumed the 'Saturday Weekly Cattle Market during January 2014. However, the respondent objected to the same stating that unless a resolution is passed and permission is obtained, 'Weekly Market' cannot be done. Thereafter, unanimously a resolution was passed and when they sought permission, the respondent has rejected the same on the ground that about 5 kms away, the cattle market is conducted on Saturdays and therefore, in order to balance the interest of the villages, the permission was declined.

5.In my view, the issue involved in this Writ Petition relates to an internal administration of the affairs of the Town Panchayat regulated by the District Collector. Undoubtedly, any action taken by the Collector should be in the interest of the /villages and Town Panchayats. According to the petitioner, upto 2000, they were conducting cattle market along with other regular market on Saturdays and only after 2000, it was stopped on account of drought. Now the petitioner would state that there is increase in the cattle population and therefore, they want to conduct the weekly market. Further, the Government officials have also inspected the place and recommended favourably. सत्यमेव जयते

6.In view of the above, petitioner is directed to submit a fresh representation along with the copy of this order furnishing full details as to the number of cattle which would be available for sale in the market and other statistics and details and if the same is submitted, the respondent shall consider the same and pass orders on merits and in accordance with law, within a period of four weeks from the date on which the representation is submitted.

The Writ Petition is disposed of with the above observations.
No costs. Consequently connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rpa

To

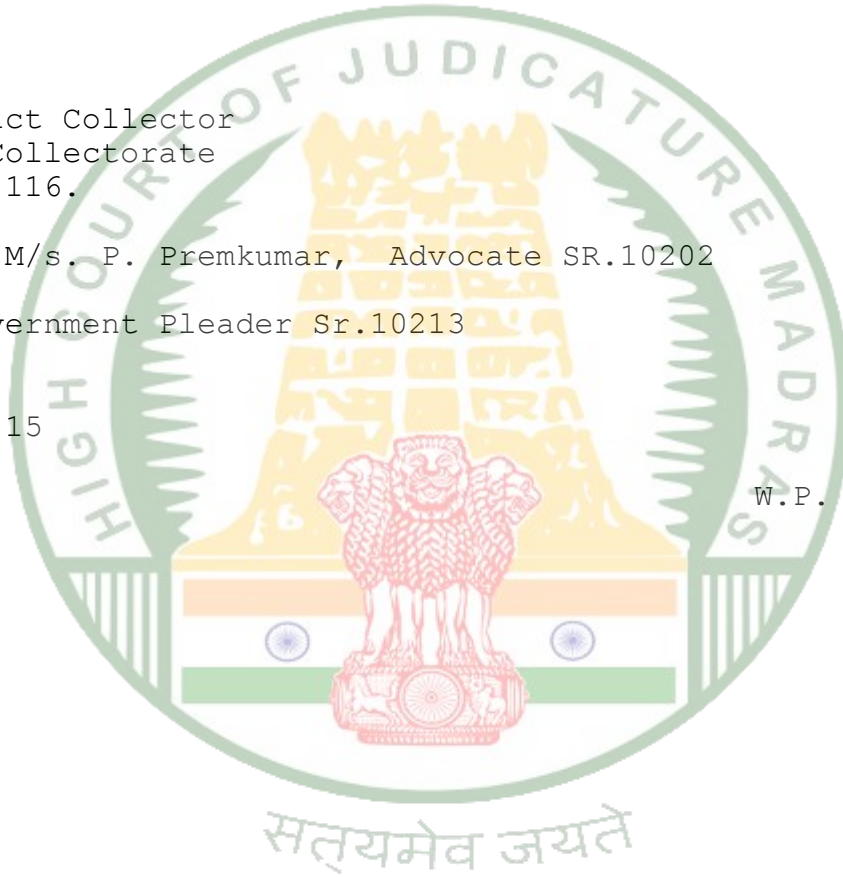
The District Collector
District Collectorate
Salem 636 116.

+ 1 cc to M/s. P. Premkumar, Advocate SR.10202

+ 1 cc Government Pleader Sr.10213

MP(CO)
EU 13.03.15

W.P. No.4806 of 2013



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