

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 20.04.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.11280 of 2015

and M.P.No.1 of 2015

R.Vijayamani .. Petitioner

Versus

1. The District Collector  
Erode District Erode.
- 2 The President  
Ikkarai Negamam Panchayath Ikkarai Negamam  
Panchayath Office Sathyamangalam Taluk  
Erode Dt. .. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the first respondent to consider petitioner application dated 17/03/2015 and grant required license at the earliest possible time and pass such further or other orders.

For Petitioner : Mr.V.S.Kesavan  
For Respondents : Mr.R.Vijayakumar  
Additional Government Pleader.

O R D E R

By consent, the main writ petition is taken up for final disposal.

2. The petitioner submitted an application dated 17.03.2015, praying for permission from the 2<sup>nd</sup> respondent to open up a stall selling Broiler Chicken in a rented premises and it was rejected on 23.03.2015 stating that only through auction, such an act of the petitioner can be permitted.

3. Mr.V.S.Kesavan, learned counsel appearing for the petitioner would submit that the 2<sup>nd</sup> respondent has misconstrued as if the petitioner wants to open the said shop in a place belonging to the local body and prays for appropriate orders.

4. Heard the submissions of Mr.R.Vijayakumar, learned Additional Government Pleader, who accepts notice for the respondents.

5. A perusal of the application dated 17.03.2015, submitted by the petitioner would disclose that the petitioner would like to put up a Broiler chicken shop in a private rented premises and not in a place belonging to the local body and in the above said facts and circumstances, there cannot be any impediment on the part of the 2<sup>nd</sup> respondent to consider and dispose of the petitioner's representation dated 17.03.2015, in accordance with law.

6. In view of the above, this Court, taking into consideration the limited scope of the prayer sought for by the petitioner and without going into the merits of the application, directs the 2<sup>nd</sup> respondent to consider the application dated 17.03.2015, submitted by the petitioner, on merits and in accordance with law and pass orders as expeditiously as possible and not later than four weeks from the date of receipt of a copy of this order and communicate the decision to the petitioner.

7. The writ petition is disposed of, accordingly. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

To

1. The District Collector  
Erode District Erode.

2 The President  
Ikharai Negamam Panchayath Ikharai Negamam  
Panchayath Office Sathyamangalam Taluk  
Erode Dt.

+1 cc to Mr.V.S.Kesavan, Counsel for Petitioner,SR.21385

+1 cc to Government Pleader,SR.21497.

vgi(co)  
krd 30/4

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