

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.10.2015

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P.No.33507 of 2015

R.Vijaya Mani

... Petitioner

- Vs -

1. The District Collector,
Erode District, Erode.

2. The President cum Executive Officer,
Ikkarai Negamam Panchayath,
Sathyamangalam Taluk, Erode District

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorarified Mandamus calling for the records relating to the Impugned proceedings passed in Na.Ka.No.2/2015 dated 10.07.2015 on the file of the 2nd respondent, quash the same and consequently direct the 2nd respondent herein to grant permission to the petitioner to run a Retail Chicken Outlet at Osukodikal, Ikkarai Negamam Panchayat.

For Petitioner : Mr.K.Govi Ganesan

For Respondents : Mr.Jayaprakash Narayan
Special Government Pleader

सत्यमेव जयते

O R D E R

By consent, this Writ Petition is taken up for final disposal.

2. The Petitioner applied for permission for running a Chicken stall in a rental premises on 17.03.2015, to the second

respondent. The said representation was not considered properly. Therefore, the petitioner filed a Writ Petition in W.P.No.11280 of 2015 against the respondents and this Court by an order dated 20.04.2015 directed the second respondent to consider the petitioner's application dated 17.03.2015. Consequently, the second respondent passed the impugned order. The said order is under challenge before this Court.

3. Heard Mr.K.Govi Ganesan, learned counsel for the petitioner and Mr.Jayaprakash Narayan learned Special Government Pleader appearing for the respondents.

4. A perusal of the application filed by the petitioner would reveal that he sought only trade licence for running a chicken stall in the rental premises. Hence, the reason given by the second respondent is not sustainable as contrary to the application made by the petitioner. The rules relied upon by the second respondent rejecting the petitioner's application are not applicable to the facts of the case.

5. In view of the same, the impugned order dated 10.07.2015 is set aside and the second respondent is directed to consider and pass appropriate orders with regard to the trade licence of the petitioner for running the chicken stall at rented premises in ***Osukodikal**, Sathyamangalam, Erode District within a period of two weeks from the date of receipt of a copy of this order.

This Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS II)

Dated : 30.10.2015

***Corrected as per order
of this Court dated 03.02.2016**

Sd/- Assistant Registrar(CS III)

Dated: 11.02.2016

//True Copy//

Sub Assistant Registrar

arr

To

1. The District Collector,
Erode District, Erode.

2. The President cum Executive Officer,
Ikkarai Negamam Panchayath,
Sathyamangalam Taluk,
Erode District

To be Substituted to
the Order already
despatched on
26.11.2015

+lcc to Mr.K.Govi Ganesan, Advocate, S.R.No.7451

W.P.No.33507 of 2015

KK(CO)
CA(02/11/2015)

CA(11.02.2016)



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