

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 08.08.2016

CORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN

Writ Petition No.10060 of 2014

P.Sampath

.. Petitioner

Vs.

The Executive Officer,
Sholinghur Special Grade Panchayat,
Sholinghur,
Vellore District.

... Respondent

The Writ Petition has been filed, under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, forbearing the respondent from interfering with the petitioner's peaceful running of office, namely, "Karpagam Agarbattie Works", at No.7, Valluvar Street, Sholinghur, as no manufacturing process takes place in the said premises in the light of the petitioner's reply, dated 22.01.2014, except by due process of law.

For Petitioner : Mr.G.Jeremiah

For Respondent : Mr.S.P.Prabhakaran

ORDER

Heard the learned counsel appearing on behalf of the petitioner, as well as the learned counsel appearing on behalf of the respondent Panchayat.

2 This writ petition has been filed, praying that this Court may be pleased to issue a Writ of Mandamus, forbearing the respondent from interfering with the petitioner's peaceful running of his office, namely, "Karpagam Agarbathi Works", at No.7, Valluvar Street, Sholinghur, without following the due process of law.

3 The petitioner has stated that he had established an Agarbathi manufacturing unit, in the name and style of "Karpagam Agarbathi Works", during the year, 1999, at No.7, Valluvar Street, Sholinghur. The petitioner had also obtained the necessary certificate of registration from the Commercial Tax Department and had also obtained the permission from the department of Industries and Commerce, for setting up the Agarbathi unit. In fact, as the industry, run by the petitioner, is a micro cottage industry, there is no need for obtaining permission from the respondent. It has also been stated that the petitioner has been running his business, without any hindrance to the public and to the residents in the area concerned. There is no pollution caused by the Agarbathi manufacturing unit.

4 It has been further stated that due to the complaints made by the residents of the area concerned, the petitioner had shifted his Agarbathi manufacturing unit to a place, bearing No.68, Eswaran Koil Street, Rendadi village, Vellore District. However, the petitioner is storing a small quantity of Agarbathies, in his residence, at No.7, Valluvar Street, Sholinghur, for the purpose of local distribution of Agarbathies.

5 At this stage of the hearing of the writ petition, the learned counsel appearing on behalf of the respondent has produced a communication issued by the respondent, dated 1.8.2016. In the said communication, the claim of the petitioner that, the Agarbathi manufacturing unit had been shifted from the Sholinghur has been admitted. It had been stated that the petitioner had stocked a small quantity of Agarbathies, in a room, which is a part of his residence, located at No.7, Valluvar Street, Sholinghur. It has also been stated that the petitioner is not manufacturing Agarbathies at No.7, Valluvar Street, Sholinghur, as on date.

6 In view of the submissions made by the learned counsels appearing on behalf of the parties concerned and in view of the communication issued by the respondent, dated 1.8.2016, this Court is of the view that no further orders are necessary in the present writ petition. Hence the writ petition stands closed. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

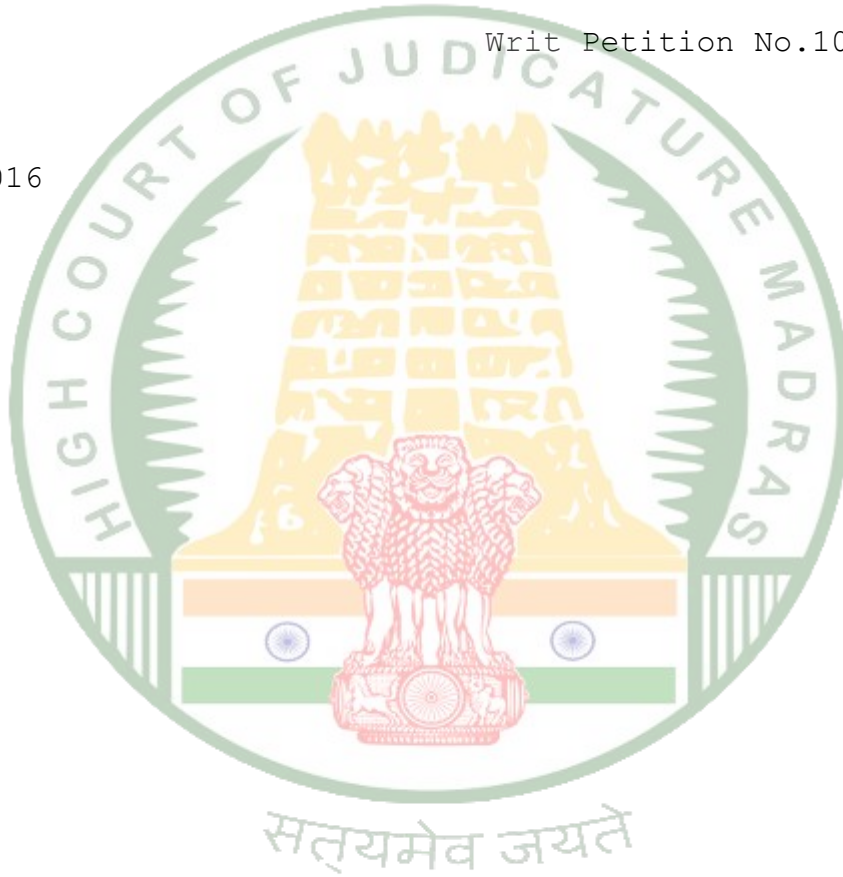
The Executive Officer,
Sholinghur Special Grade Panchayat,
Sholinghur,
Vellore District.

+1 cc to Mr.G.Jeremiah Advocate sr 45156

+1 cc to Mr.S.P.Prabhakaran Advocatesr 44821

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