

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.3292 of 2016

S.Sahul Hameed

... Petitioner

Vs.

1. The Chairman
Madurantakam Municipality, GST Road
Madurantakam, Kancheepuram District
2. The Commissioner
Madurantakam Municipality, GST Road
Madurantakam, Kancheepuram District
3. The District Collector
Kancheepuram District
4. The Deputy Director of Health Services
13-A Ottakuthur Street, Manmallan Nagar,
Kancheepuram - 631 501
5. A.Sathiq Basha
S/o.K.Adham Shop No.11 Market Complex
Parthasarathy Street, Madurantakam,
Kancheepuram District.
6. S.Syed Moosa
S/o.Sikkandhar Shop No.15 Market Complex
Parthasarathy Street, Madurantakam,
Kancheepuram District.
7. P.Abdul Latheef
S/o.Pakkir Mohideen Shop No.12 Market
Complex Parthasarathy Street, Madurantakam,
Kancheepuram District.
8. A.Zamil
S/o.Abdul Shariff Shop No.13 Market Complex,
Parthasarathy Street, Madurantakam,
Kancheepuram District.

9. J.Shafiulla
S/o.John Basha Shop NO.14 Market Complex
Parthasarathy Street, Madurantakam,
Kancheepuram District.
10. J.Rafi
S/o.John Basha Shop No.10 Market Complex
Parthasarathy Street, Madurantakam,
Kancheepuram District.
11. A.Muhammed Hussain
S/o.Abdul Karim Shop No.2 Market Complex
Parthasarathy Street, Madurantakam,
Kancheepuram District.
12. E.Arumugam
S/o.Ethiraj Shop No.19 Market Complex,
Parthasarathy Street, Madurantakam,
Kancheepuram District. ... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the respondents 1 to 4 herein to dispose of the petitioner representation dated 12.01.2016 seeking action upon the private respondents herein from 5 to 12 within time frame to be stipulated by this Court.

For Petitioner : Mr.K.Thilagaraj

For Respondents 1 & 2 : Mr.S.Pattabiraman,
Government Advocate

For Respondents 3 & 4 : Mr.R.Vijayakymar,
Additional Government Pleader

सत्यमेव जयते
ORDER

Heard the learned counsel for the petitioner and Mr.S.Pattabiraman, learned Government Advocate for respondents 1 and 2 and Mr.R.Vijayakymar, learned Additional Government Pleader accepting notice on behalf of the respondents 3 and 4 and with their consent, the writ petition is taken up for final disposal at the admission stage itself.

2. It is seen that the licence has been granted to the petitioner by the respondent Municipality to collect fee from the slaughtering house, by proceedings dated 30.04.2015. Pursuant to which, he has submitted a representation that the persons who have been allotted shops in the market complex at

Parthasarathy Street, i.e., the respondents 5 to 12, who have been allotted the shop Nos.11, 15, 12, 13, 14, 10, 2, 19 respectively, are not using it for slaughtering the goat but using the public road in order to avoid payment of fee of Rs.50/- per goat.

3. If the complaint given by the petitioner is correct, then action should have been initiated by the Municipality immediately as it is a health hazard and it is against rules to carry on slaughtering in road margin. Therefore, the respondent Municipality should have considered the petitioner's representation immediately and take action.

4. Learned counsel for the second respondent submits that the representation will be considered in accordance with law. Hence, there will be a direction to the second respondent, to consider the representation dated 12.01.2016 and pass orders, on merits and in accordance with law, within a period of three weeks, from the date of receipt of a copy of this order. This writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

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To

Sub Assistant Registrar

1. The Chairman
Madurantakam Municipality, GST Road
Madurantakam, Kancheepuram District
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13-A Ottakuthur Street, Manmallan Nagar,
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+1cc to Mr.K.Thilagaraj, Advocate, S.R.No.5796
+1cc to the Government Pleader, S.R.No.6118

W.P.No.3292 of 2016

JSV(CO)
CA(05/02/2016)