



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 14.12.2016

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THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P (MD) No.23923 of 2016

and

W.M.P (MD) No.17261 of 2016

M.Pandiyaraj

..Petitioner

Vs

1.The Commissioner,
Madurai Corporation,
Madurai City.

2.The Health Inspector,
Madurai Corporation,
Madurai City.

..Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari calling for the records relating to the impugned notice passed by the first respondent in proceedings Nil dated 7.12.2016 and the proceedings Nil, dated 7.12.2016 passed by the second respondent and to quash the same as illegal.

For Petitioner : M/s.R.Rajesh

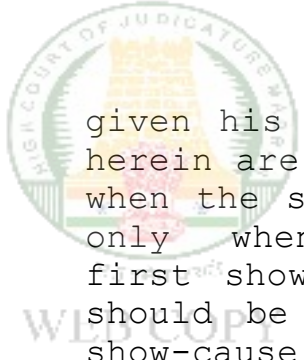
For Respondents : Mr.T.S.Mohammed Mohideen
1 and 2 Addl.Govt.Pleader

ORDER

Challenge made in this Writ Petition is the proceedings calling upon the Petitioner to rectify certain defects in running his business, without obtaining permission from the respondents/Corporation.

2.Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader takes notice for the respondents 1 and 2.

3.By consent of both parties, the main Writ Petition itself is taken up for disposal, at the admission stage itself.



given his explanation so far. When both the proceedings impugned herein are only in the nature of show-cause and more particularly, when the second proceedings of the same date came to be issued only when the Petitioner has not given any explanation to the first show cause notice, I am of the view that the Petitioner should be given an opportunity to give his explanation to the show-cause notice, dated 7.12.2016.

5. Accordingly, the Writ Petition is disposed of, with liberty to the Petitioner to furnish his explanation to the respondents to the show cause notice issued on 7.12.2016 followed by other proceedings issued on the same date, within a period of two weeks from the date of receipt of a copy of this order. It is for the authorities to consider such explanation and pass orders on merits and in accordance with law within a period of four weeks thereafter, also by considering the fact, as admitted by the learned counsel for the Petitioner, that the very business itself is now closed by the Petitioner once for all. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

1. The Commissioner,
Madurai Corporation,
Madurai City.

2. The Health Inspector,
Madurai Corporation,
Madurai City.

+1 cc to M/s.R.Rajesh, Advocate in SR.No. 80605

+1 cc to M/s.T.S.Mohamed Mohideen, Advocate in SR.No. 80719

vsn

CSL/CK/05.01.2017 : 2P/5C

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