

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 13.07.2017

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P.(MD)No.17528 of 2014andM.P(MD)No.1 of 2014

WEB COPY

R.Murali

... Petitioner

Vs.

1. The Superintendent,
Public Health and Prevention of Deceases
and Medicine Department,
Primary Health Centre,
Pavoor Chathiram - 627 808,
Tirunelveli District.

2. The Block Development Officer,
(Village Panchayat)
Keezha Pavoor,
Pavoor Chathiram - 627 808,
Tirunelveli District.

3. The President,
Second Grade Village Panchayat,
Kulasekarapatti,
Pavoor Chathiram - 627 808,
Tirunelveli District.

4. S.Rajesh

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records relating to the proceedings in Letter Memo dated 20.09.2014, on the file of the third respondent herein and to quash the same.

For Petitioner : Mr.S.Subbiah

For Respondents : Mr.J.Gunaseelan Muthiah,
Government Advocate for R.1 & R.2
Mr.R.Anandharaj, for R.3

ORDER

This Writ Petition has been filed questioning the Letter Memo of the third respondent herein dated 20.09.2014, vide which, the petitioner herein was asked to remove their poultry farm on the grounds that the said poultry farm had not been licensed by the Health Department as well as by the third respondent panchayat.



2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for 1st and 2nd respondents as well as the learned counsel appearing for the third respondent.

3. Though the petitioner challenges the Show Cause Notice dated 20.09.2014, the learned counsel appearing for the petitioner confines his prayer and seeks permission of this Court to file appropriate reply to the said notice dated 20.09.2014. The learned counsel for the petitioner further claims that he is doing his poultry business in the said place as on date.

4. Under such circumstances, the petitioner is directed to file necessary reply to the said Show Cause Notice dated 20.09.2014, before the first respondent, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the first respondent is directed to consider the reply of the petitioner and take appropriate action as per law after affording due opportunity of hearing to the petitioner and all other interested parties, if any, by proper notice, well in advance, within a period of four weeks thereafter. Since the petitioner is continuing his poultry business in the said place, status quo as on today, has to be maintained, till the first respondent takes a decision on the reply to be filed by the petitioner.

5. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (RTI)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent, Public Health and Prevention of Deceases and Medicine Department, Primary Health Centre, Pavor Chathiram - 627 808, Tirunelveli District.

2. The Block Development Officer,
(Village Panchayat) Keezha Pavor,
Pavor Chathiram - 627 808, Tirunelveli District.

+1 CC to M/s.N.SUBRAMANIAN, Advocate, SR No. 65167

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No. 65643

GK/SMN

PSM/SKN-RSK/SAR4/19.07.2017/2P/5C

W.P. (MD) No. 17528 of 2014

and

M.P (MD) No. 1 of 2014

13.07.2017