



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.08.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.4497 of 2011

and

M.P (MD) Nos.1 and 2 of 2011

C.Raja

.. Petitioner

Vs.

The Executive Officer,
Selection Grade Town Panchayat,
Naranammalpuram,
Tirunelveli District.

.. Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari calling for the records relating to the order passed by the respondent in his proceedings in Na.Ka.No.31/2011, dated 31.03.2011 and quash the same.

For Petitioner	: Mr.V.Meenakshisundaram
For Respondent	: Mr.S.Kumar, Additional Government Pleader.

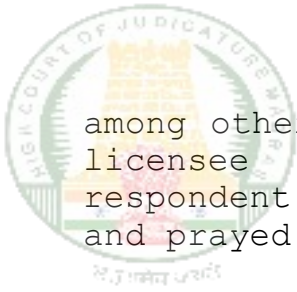
ORDER

This writ petition has been filed seeking a Writ of Certiorari to quash the impugned order passed by the respondent in Na.Ka.No.31/2011, dated 31.03.2011, vide which, the license granted to the petitioner, for running workshop, has been cancelled from 01.04.2011.

2.The case of the petitioner is that he is running a lathe and welding works under the name and style of M/s.Sharon Engineering Project Centre, at 81N/1, Jawahar Nagar Second Street, Sankar Nagar, Tirunelveli District, by using 4 H.P. electric motor, from the year 2009 onwards and he has paid necessary license fee upto 2011-2012. According to the petitioner, the respondent passed the impugned order dated 31.03.2011, vide which, the license was cancelled from 01.04.2011. The grievance of the petitioner is that without issuing any notice and without giving an opportunity of hearing, the impugned order has been passed. Therefore, the petitioner is before this Court.

<https://hcservices.ecourts.gov.in/hcservices/>

3.In the counter affidavit filed by the respondent, it is,



among other things, stated that the father of the petitioner is the licensee and due to noise pollution, after inspection, the respondent cancelled the license for the welfare of local residents and prayed for the dismissal of this writ petition.

4.Today when the matter is taken up for hearing, the learned counsel appearing for the petitioner fairly submits that necessary license is to be obtained from the competent authority by filing all the required documents along with the acknowledgment of Entrepreneurs Memorandum for Micro, Small or Medium Enterprises, issued by the Department of Industries and Commerce, Government of Tamil Nadu, dated 30.04.2011 and the Noise Survey Report issued by the Tamil Nadu Pollution Control Board, dated 22.08.2011.

5.Recording the said submission made on the side of the petitioner, this writ petition is disposed of, leaving it open to the petitioner to approach the appropriate authority for obtaining necessary license by filing required documents. After obtaining license, the petitioner shall start functioning of the unit. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

The Executive Officer,
Selection Grade Town Panchayat,
Naranammalpuram,
Tirunelveli District.

+ 1 CC TO Mr.D.NALLATHAMBI, ADVOCATE IN SR No. 73701
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 74237

SMN

TE/SV-MMS/SAR-III : 05/09/2017 : 2P/4C

ORDER MADE IN
W.P(MD)No.4497 of 2011 and
M.P(MD)Nos.1 and 2 of 2011
22.08.2017