



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.15726 of 2018
and
W.M.P.(MD)No.14085 of 2018

I.Saranya ... Petitioner

vs.

1.The Commissioner,
Madurai Corporation,
Madurai-625002.

2.The City Health Officer,
Madurai Corporation,
Madurai-625002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the notice issued by the first respondent in M4A4/012771/18, dated 14.06.2018 quash the same and consequentially restrain the respondents from initiating any criminal proceedings against the petitioner.

For Petitioner : Mr.N.Murugesan
for Mr.P.Paranthaman

For Respondents : Mr.N.Shanmuga Selvam,
Standing Counsel.

ORDER

By consent of both parties, this writ petition is taken up for final disposal, at the stage of admission itself.

2.Through the impugned order, dated 14.06.2018, the first respondent herein had called upon the petitioner, to show cause as to why criminal proceedings shall not be initiated against him, for not obtaining licence from the corporation. Pursuant to the notice, the petitioner had also submitted an application, on 07.07.2018, seeking for licence and the said application is pending before the first respondent herein.

3.The learned counsel for the petitioner also submitted that the petitioner has commenced her business only about 1½ years back.



Since the same is a small unit, they inadvertently omitted to get licence in time.

4.The petitioner had already hold GST Registration Certificate and the property is also subjected to property tax, by the Corporation. Since the petitioner has already initiated steps to seek for licence from the first respondent herein, it would be appropriate to permit the petitioner to give reply to the show cause notice, dated 14.06.2018.

5.In the light of the same, the petitioner is granted liberty to give a reply to the first respondent to the impugned show cause notice, dated 14.06.2018, within a period of two weeks from today. On receipt of such reply, the respondents shall consider the same on its own merits and pass appropriate orders, within a period of six weeks from the date of receipt a reply, to the show cause notice.

6.With the above directions, this writ petition is disposed of. Till the disposal of the petitioner's reply to the show cause notice, the respondents shall not initiate any criminal proceedings against the petitioner herein. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar(CS-II)

To:

1.The Commissioner,
Madurai Corporation,
Madurai-625002.

2.The City Health Officer,
Madurai Corporation,
Madurai-625002.

+1cc to Mr.P.Paranthaman, Advocate, SR.No.74239.

+1cc to Mr.N.Shanmuga Selvam, Advocate, SR.No.74295.

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RAM/SV/SAR 2/23.07.2018/2P/5C