

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.MANIKUMAR

THE HONOURABLE MR.JUSTICE SUBRAMONIUM PRASAD

W.P.Nos.23236, 23318, 23336 & 23346 of 2019 and
W.M.P.Nos.22928, 23065, 23082, 23092 of 2019

A.Ayub Khan ...Petitioner in all Wps

/versus/

1.The Commissioner,
Kancheepuram Municipality,
Kancheepuram - 631 502.

2.The District Collector,
Kancheepuram District,
Kancheepuram - 631 502.

3.The Commissioner of Municipal Administration,
VI Floor, Ezhilagam Annex Building,
Chepauk, Chennai - 600 005.

... 1 to 3 Respondents in all Wps

4.G.Syed, Proprietor,
New Hameediya Chicken and Mutton Center,
27/8-B, Sengaluneerodai Street,
(also known as Durgha Street),
Kancheepuram - 631 502.

...4th Respondent in
WP.No.23236 of 2019

4. M.Sammith, Proprietor,
Bismilla Chicken Street,
Durgha Compound,
29, Sengaluneerodai Street,
(also known as Durgha Street),
Kancheepuram - 631 502.

...4th Respondent in WP.No.23318 of 2019

4.Dastagir, Proprietor,
New Bismilla Chicken and Mutton Center,
278, Sengaluneerodai Street,
(also known as Durgha Street),
Kancheepuram - 631 502.

...4th Respondent in WP.No.23336 of 2019

4.M.Sardar, Proprietor,
Modern Bismilla Chicken and Mutton Center,
13/1, Sengaluneerodai Street,
(also known as Durgha Street),
Kancheepuram - 631 502.

...4th Respondent in WP.No.23346 of 2019

Common Prayer: Writ petitions are filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 and 2 and 3 herein to consider the petitioner's various representations dated 15.02.2016, 02.07.2016, 09.06.2017, 11.08.2017, 05.09.2018, 08.10.2018 and 26.02.2019 and pass appropriate orders thereon, on merits, closing down and sealing the mutton meat and Chicken meat selling shops belonging to the respondent 4 herein and located in Sengaluneerodai Street, (also known as Durgha street, Kancheepuram).

For Petitioner
in all WPs : Mr.A.S.Vijayaraghavan
for Mr.S.Haja Mohideen Gisthi

For Respondent 1
in all Wps : Mr.G.B.Rajesh

For Respondents
2 and 3
in all WPs: Mr.Akhil Akbar Ali
Government Advocate

COMMON ORDER

(Common Order delivered by S.MANIKUMAR,J)

The petitioner in all these writ petitions, has sought for issuance of a Writ of Mandamus directing the respondents 1 to 3 to consider his representations dated 15.02.2016, 02.07.2016, 09.06.2017, 11.08.2017, 05.09.2018, 08.10.2018 and 26.02.2019

respectively and to pass appropriate orders thereon on merits, closing and sealing the mutton meat and Chicken meat selling shops belonging to the respondent 4 herein located in Sengaluneerodai Street (also known as Durgha street, Kancheepuram).

2. Considering the limited prayer sought for, Mr.G.B.Rajesh learned counsel for the Commissioner, Kancheepuram Municipality, Kancheepuram/first respondent is put on notice.

3. We have heard Mr.A.S.Vijaya Raghavan, learned counsel for the petitioner, Mr.G.B.Rajesh, learned counsel for the first respondent and Mr.Akhil Akbar Ali, learned Government Advocate for second and third respondents. As prayer sought for and submissions made are similar, writ petitions are taken up together and disposed of by a common order.

4. Though Mr.A.S.Vijaya Raghavan, learned counsel for the petitioner submitted that no action is taken on the representations and therefore the petitioner was constrained to prefer the instant petitions, we are not inclined to accept the same, for the reason that acting on the representations, inspection has been done on 19.02.2019 and that by proceedings Na.Ka.001554 dated 11.02.2019, notice had been issued under Sections 235, 236, 249, 250 r/w 313 of Tamil Nadu District Municipalities Act, 1920. For brevity notice dated 11.02.2019 is extracted hereunder.

Notice

R.C.No.001554 date 11.02.2019

issued under Section 235, 236, 249 250 r/w 313 of The Tamil Nadu District Municipalities Act 1920

The following defects have been found when inspection was conducted by Municipal Sanitary Inspector on 19.02.2019 at 10.00 hours at Ward No.5, Door No.8A, Senkashuneere Odai Street, Kancheepuram - 631 501 within the boundaries of Kancheepuram Municipality.

- (1) In perches of meat shops where poultry are kept, chicken stool and wastages are not removed quite often resulting stinking smell / bad odor and disinfectant not done.
- (2) Wastages like bone of the meat, feather are not kept in closed vessel due to which lot of flies and insects were found.
- (3) The food which is coming from flies resulting in spreading of infectious diseases.
- (4) Cobwebs are found at roof of the meat shop.
- (5) License for running meat shop was not obtained for current year.
- (6) License not obtained for current year butcher.
- (7) Butcher not having Medical Certificate.

- (8) For machines, license not obtained for current year.
- (9) For refrigerator license not obtained for current year.
- (10) Correct information not provided with regard to sewerage connection for meat shop.
- (11) Cleanliness not maintained in the place (state) where butch is carried out.
- (12) For meat shops, white washing not done once in six months.

The above defects are to be rectified within seven days from the date of receipt of this notice and a written explanation along with evidence to be submitted directly to the officer who has signed below. This is to inform that in case the above is not complied with, legal action will be taken against you under Section 157, 235, 236, 240, 249, 250 r/w 313 of the Tamil Nadu District Municipalities Act 1920.

Sd/-.....,
Commissioner (incharge),
Kancheepuram Municipality.

To
Thiru.A.Samad (51 years),
S/o.K.S.Ali,
29, Senkzhuneer Odai Street,
Kancheepuram.

5. Sections 235, 236, 249, 250 r/w 313 of the Tamil Nadu District Municipalities Act 1920 are extracted hereunder:-

CONTROL OVER INSANITARY BUILDINGS

235. Limewashing and cleansing of buildings .- The [Executive Authority], if it appears to him necessary for sanitary purposes so to do, may by notice require the owner or occupier of any building to limewash or otherwise cleanse the building inside and outside in the manner and within a period to be specified in the [notice]

236. Further powers with reference to insanitary buildings .
-(1) Whenever the [Executive Authority] considers -

(a) that any building or portion thereof is, by reason of its having no plinth, or having a plinth of insufficient height, or by reason of the want of proper drainage or ventilation or by reason of the impracticability of cleansing, attended with danger of disease to the occupiers thereof or to the inhabitants of the neighbourhood, or is, for any reason, likely to endanger the public health or safety, or

(b) that a block or group of buildings is, for any of the said reasons, or by reason of the manner in which the buildings are crowded together, attended with such risk as aforesaid, he may by notice require the owners or occupiers of such buildings or portions of buildings or at his option, the owners of the land occupied by such buildings or portions of buildings, to

execute such works or to take such measures as he may deem necessary for the prevention of such danger.

(2) No person shall be entitled to compensation for damages sustained by reason of any action taken under or in pursuance of this section save when a building is demolished in pursuance of an order made hereunder, or so far demolished as to require reconstruction, in which cases the Municipal Council shall make compensation to the owner thereof.

(3) When any building is entirely demolished under this section and the demolition thereof adds to the value of other buildings in the immediate vicinity, the owners of such other buildings shall be bound to contribute towards the compensation payable to the owner of the first-named building in proportion to the increased value acquired by their own property.

(4) When any building is so far demolished under this section as to require reconstruction, allowance shall be made in determining the compensation for the benefit accruing to the premises from the improvement thereof.

INDUSTRIES AND FACTORIES

249. Purposes for which places may not be used without licence. -

(1) The Council may publish a notification in the district gazette and by beat of drum that no place within municipal limits or at a distance within three miles of such limits shall be used for any one or more of the purposes specified in schedule V without the (licence of the executive authority) and except in accordance with the conditions specified therein:

Provided that no such notification shall take effect

(a) until sixty days from the date of publication, and

(b) except with the previous sanction of the [State Government] in any area outside the municipal limits.

(2) The owner or occupier of every such place shall, within thirty days of the publication of such notification, apply to the [Executive Authority] for a licence for the use of such place for such purpose.

(3) The [Executive Authority] may, by an order and under such restrictions and regulations as he thinks fit, grant or refuse to grant such licence.

(4) Every such licence shall expire at the end of the year unless for special reasons the [Executive Authority] considers it should expire at an earlier date, when it shall expire at such earlier date as may be specified therein.

(5) Applications for renewal of such licences shall be made [not less than thirty and not more than ninety days] before the end of every year and applications for licences for places to be newly opened shall be made [not less than thirty and not more than ninety days] before they are opened.

[(6) Where a licence is granted or renewed under this section for the use of any place outside the municipal limits, the Municipal Council shall pay to the panchayat, if any, having jurisdiction over such place, or if there is no such panchayat, to the district board having such jurisdiction, such portion of the fee received for the grant or renewal of the licence as the [State] Government may, by general or special order, direct.

250. Application to be made for construction, establishment or installation of factory, workshop or work-place in which steam or other power is to be employed .- (1) Every person intending -

(a) to construct or establish any factory, workshop or work-place in which it is proposed to employ steam-power, water-power or other mechanical power or electrical power, or

(b) to install in any premises any machinery or manufacturing plant driven by steam, water or other power as aforesaid, [not being machinery or manufacturing plant exempted by rules] shall, before beginning such construction, establishment or installation, make an application in writing to the Municipal Council for permission to undertake the intended work.

(2) The application [shall specify the maximum number of workers proposed to be [...] employed [on any day] in the factory, workshop, work-place or premises and shall be accompanied by

(i) a plan of the factory, workshop, work-place or premises prepared in such manner as may be prescribed by rules made in this behalf by the [State Government], and

(ii) such particulars as to the power, machinery, plant or premises as the Municipal Council may require by by-laws made in this behalf.

(3) The Municipal Council shall, as soon as may be after the receipt of the application -

(a) grant the permission applied for, either absolutely or subject to such conditions as it thinks fit to impose ; or

(b) refuse permission, if it is of opinion that such construction, establishment or installation is objectionable by reason of the density of the population in the neighbourhood or that it is likely to cause a nuisance.

[(4) Before granting permission under sub-section (3), the Municipal Council

(a) shall [if more than nine workers are proposed to be [...] employed [on any day] in the factory, workshop, work-place or premises] obtain the approval of the Inspector of Factories appointed under the Indian Factories Act, 1911 (Central Act XII of 1911), having jurisdiction in the area of the Municipality, or if there is more than one such Inspector, of the Inspector designated by the [State Government] in this behalf by general or special order, as regards the plan of the factory, workshop,

work-place or premises with reference to –

(i) the adequacy of the provision for ventilation and light ;

(ii) the-sufficiency of the height and dimensions of the rooms and doors ;

(iii) the suitability of the exits to be used in case of fire ; and

(iv) such other matters as may be prescribed by rules made by the [State Government]; and

(b) shall consult and have due regard to the opinion of the municipal health officer where the Municipal Council employs such an officer and of the [District Health Officer] in other cases, as regards the suitability of the site of the factory, workshop, work-place or premises for the purpose specified in the application].

(5) More than nine workers shall not be [...] employed [on any day] in any factory, workshop, work-place or premises, unless the permission granted in respect thereof under sub-section (3) authorises such employment, or unless fresh permission authorising such employment has been obtained from the Municipal Council. Before granting such fresh permission, the Council shall obtain the approval of the Inspector of Factories referred to in clause (a) of sub-section (4) as regards the plan of the factory, workshop, work-place or premises, with reference to the matters specified in that clause.

(6) The grant of permission under this section –

(a) shall, in regard to the replacement of machinery, the levy of fees, the conditions to be observed and the like, be subject to such restrictions and control as may be prescribed ; and

(b) shall not be deemed to dispense with the necessity for compliance with the provisions of sections 197 and 199 or sections 208 and 209, as the case may be. Explanation .– The word "worker" in sub-sections (2), (4) and (5) shall, in relation to any factory, work-shop, work-place or premises, have the same meaning in the Factories Act, 1934. (Central Act XXV of 1934)1]

(7) Save as otherwise specially provided in this Act, if orders on an, application for permission under sub-section (1) are not received by the applicant within sixty days after the receipt of the application by the Executive Authority, permission shall be deemed to have been granted subject to the law, rules, by-laws, regulations and all conditions ordinarily imposed.

(8) Nothing contained in clause (a) of sub-section (4) and sub-section (5) shall apply if the approval to the factory, work-shop, work-place or premises referred to therein, has already been obtained under the provisions of any law relating to factories for the time being in force.

6. In addition to the above, Commissioner (Incharge) Kancheepuram Municipality, Kancheepuram has also sent a letter in R.C.No.001554 dated 19.02.2019 to the Information Commissioner, State Information Commission, Chennai that field inspection has been conducted by the Public Health Section and notices have been given. Copy of the said information is also sent to Mr.A.Ayub Khan, petitioner herein. The said letter dated 19.02.2019 reads thus:-

Municipal Administration & Water Supply Department

From	To
Thiru.K.Magendiran, B.E., Engineer - Municipal Admn. & Commissioner (Incharge), Kancheepuram Municipality Kancheepuram.	The State Information, Commissioner, State Information Commission, No.2, Thyagarayar Street, Teynampet, Chennai - 600 018.

R.C.No.001554 date 19.02.2019

Sir,

Ref Public Health - Kancheepuram Municipality - Submission of particulars regarding action taken on the shops situated at Ward No.5, Senkzhuneer Odai Street which, is degrading public health and creating inconvenience to public coming to place of worship - Reg.

Sub Letter R.C.No.00154 dated 11.02.2019 from the petitioner A.Ayubkhan, Ward No.5, No.77, Senkzhuneer Odai Street.

In the letter under reference it has been stated mutton shops situated at Asarat Syedshah, Amid Avuliya Street, Ward No.5, No.77, Senkzhuneer Odai Street is creating inconvenience to general public and people coming from outstations fro worshipping at Dargah and degrading public health. With reference to the above complaint, field inspection has been conducted by Kancheepuram Municipality Public Health Section. Based on the above inspection, as per Public Health Rules proper notice have been sent and precautionary action has been taken to prevent degradation of public health. Further, letter has been sent to the Food Safety Officer and Revenue Divisional Officer for taking necessary action and this is to inform that further action is being taken.

Sd/-.....,
19.02.2019,

Commissioner (incharge),
Kancheepuram Municipality.

Enclosures : Copy of above letters.

7. In addition to the above, Commissioner, Kancheepuram Municipality, Kancheepuram/first respondent has also addressed a letter in R.C.No.001554 dated 19.02.2019 to the Food Safety Officer, Office of the Joint Directorate, Kancheepuram, requesting him to take action. Letter dated 19.02.2019 reads thus:-

Municipal Administration & Water Supply Department

From	To
Thiru.K.Magendiran, B.E.,	The Food Safety Officer,
Engineer - Municipal Admn.	Office of the Joint
& Commissioner (Incharge),	Directorate,
Kancheepuram Municipality	No.77, Senkzhuneer Odai St.,
Kancheepuram.	Kancheepuram.

R.C.No.001554 date 19.02.2019

Sir,
Ref Public Health - Kancheepuram Municipality - Ward No.5, Senkzhuneer Odai Street - Chicken and Mutton shops are situated in such a way degrading public health - Complaint regarding the above - Request to take action

Reg.

(2) Letter R.C.No.00154 dated 11.02.2019 from A.Ayubkhan, Ward No.5, No.77, Senkzhuneer Odai Street.

In the letter under reference it has been stated mutton shops situated at Asarat Syedshah, Amid Avuliya Street, Ward No.5, No.77, Senkzhuneer Odai Street is degrading public health.

In order to take necessary action on the above referred mutton shops through Kancheepuram Municipality, Public Health Section as stated in Chapter 12 of the Tamil Nadu Public Health Act 1938, thereafter as per the existing the Food Safety and Standards Act 2006 Chapter 12 has been removed, and provision has been made for taking action under the Food Safety and Standards Act 2006. Hence, action to be taken by Food Safety Department on the mutton shops situated in the above area and kindly communicate details of action taken to Municipality.

Copy

The Town Welfare Officer : submitted for information
Kancheepuram Municipality
Copy to file.

Sd/-.....,
19.02.2019,
Commissioner (incharge),
Kancheepuram Municipality.

Enclosures :

- 1) Copy of above petition.
- 2) Copy of Notice sent through Municipality.

8. Vide proceedings in R.C.No.001554 dated 19.02.2019 Commissioner (In charge), Kancheepuram Municipality, Kancheepuram has also requested the Revenue Divisional Officer, Kancheepuram to take action. While doing so, the Commissioner (In charge), Kancheepuram Municipality, Kancheepuram has also enclosed the field inspection report and the complaint. Letter dated 19.02.2019, reads thus.

Municipal Administration & Water Supply Department

From To
Thiru.K.Magendiran, B.E., The Revenue Divisional Officer,
Engineer - Municipal Admn. Office of the District
Collectorate,
& Commissioner (Incharge), Kancheepuram.
Kancheepuram Municipality
Kancheepuram.

R.C.No.001554 date 19.02.2019

Sir,
Ref Public Health - Kancheepuram Municipality - Petition
for
taking action taken on the shops situated at Ward No.5,
Senkzhuneer Odai Street which is degrading public
health and creating inconvenience to public coming to
place of worship - Reg.

Sub Letter R.C.No.00154 dated 11.02.2019 from the
petitioner

A.Ayubkhan, Ward No.5, No.77, Senkzhuneer Odai Street.

In the letter under reference it has been stated mutton shops situated at Asarat Syedshah, Amid Avuliya Street, Ward No.5, No.77, Senkzhuneer Odai Street is creating inconvenience to general public and people coming from outstations for worshipping at Dargah and degrading public health. Further to the above

complaint, field inspection has been conducted since there is a possibility affecting public health to the people living in that area and to people coming to Dargah for worshipping, traffic issue and law & order, it is requested to take action through Revenue Divisional Officer, Filed Inspection Report and Complaint is enclosed herewith.

Sd/-.....,
Commissioner (incharge),
Kancheepuram Municipality.

Enclosures : As stated above.

Copy to

The District Collector, Kancheepuram : Submitted for kind information.

9. Not satisfied with the Information given, the petitioner seems to have filed an appeal in case No.4490/2017 to the Tamil Nadu Information Commission, Chennai and after hearing the petitioner, Tamil Nadu Information Commission, by order dated 21.02.2019 in case No.4490/2017, has directed the Commissioner, Kancheepuram Municipality to make field visit along with the Officers of Public Health Section and other officers and take necessary action within 15 days from the date of receipt of the order. Order in case No.4490/2017 dated 21.02.2019 on the file of Tamil Nadu Information Commission, Chennai reads thus:-

Tamil Nadu Information Commission
No.2, Thyagarayar Street, Near Alaiyamman Koil
Teynampet, Eldams Road Junction, Chennai - 600 018.

Telephone : 044 - 24347590

Order date 21.02.2019 after noon

Present: Thiru.S.Muthuraj, B.A., B.L.,
State Information Commissioner
Case No.4490 / 2017

A.Ayub Khan

.. Petitioner / Appellant

vs

The Public Information Officer,
Kancheepuram Municipality,
Kancheepuram,
Kancheepuram District.

ORDER

The petitioner had submitted a application under Section 6(1) of the Right to Information Act 2005, to the Public Information Officer, Municipal Administration and Water Supply Department and requested to provide copies of all the information, plan under 4 types, if license has been issued for running meat shops viz.,

Bismilla Chicken Center, at Door No.13/79, Senkazhuneer Odai Street, Ward No.5, Kancheepuram. This letter has been transferred under Section 6(3) to the Public Information Officer, Kancheepuram Municipality vide letter dated 28.12.2016. Since the requested information has not been provided within the stipulated period, there after first appeal dated 15.02.2017 was sent to Appellate Officer, Municipal Administration and Water Supply Department under Section 19(1) of the Act. This petition was also transferred to Kancheepuram Municipality vide letter dated 06.04.2017. Thereafter, under Section 19(3) of the Act, Second Appeal dated 09.12.2016 was sent to this Commission stating lesser information has been provided, requested to get complete information and provide the same to him. Enquiry was held on this appeal.

(2) The Petitioner, Thiru.P.Muthu, Town Welfare Officer, Thiru.Mohammed Iqbal, Health Inspector and Tmt.Lakshmi Priya, Health Inspector, Kancheepuram Municipality have appeared for the enquiry.

(3) The Petitioner who had appeared for the enquiry made arguments that, he is unable to live in his house; in violation of rules meat shops is functioning in residential area due to which public health is severely degraded; unable to sleep even during night; unable to live peacefully in the residential place; due to deterioration of public health his children are affected; about 5 years he has been making complaints through letters and holding dharna; in this regard only he has sought information under Right to Information Act and he is not satisfied with the information provided. The above referred Welfare / Health Officers who have appeared for interview had stated that; based on the complaints received regarding deterioration of public health, direct field inspection has been conducted, proper notice have been sent and precautionary measures have been taken so that residents of that area are not affected due to deterioration of public health; letters have been sent to the concerned Food Safety Officer, Revenue Divisional Officer for taking necessary action and further continuous action is being taken; notice under Section 235, 236, 249, 250 r/w 313 of Tamil Nadu District Municipalities Act 1920 have been sent to Thiru.A.Samad and Thiru.M.Sardar; and submitted copy of letter dated 19.02.2019 sent to the Revenue Divisional Officer, copy of letter dated 19.02.2019 sent to the Food Safety Officer, Kancheepuram. The petitioner alleged that even after above letter activities degradation of public health is continued.

(4) In that situation, the Commissioner, Kancheepuram

Municipality is directed to make field visit along with Officers of Public Health Section and other appropriate officers and take necessary action within 15 days from the date of receipt of this letter and send action taken in information format to this Commission and to the Petitioner.

(5) This is to inform that based on the information that will be submitted by the above Commissioner, further action will be taken.

Sd/-.....,

S.Muthuraj,

State Information Commissioner.

/By Order of the Commission /

Sd/-.....,

Assistant Registrar.

10. Vide proceedings in R.C.No.1554/2019/H1 dated 01.03.2019 the Commissioner (Incharge) Kancheepuram Municipality, Kancheepuram has written a letter to the writ petitioner Mr.A.Ayubkhan stating that notices have been issued to the shop owners and action has been taken. Letter dated 01.03.2019 addressed to the writ petitioner reads thus:-

By R.P.A.D.

Municipal Administration & Water Supply Department

From

Thiru.K.Magendiran, B.E.,
Engineer - Municipal Admn.
& Commissioner (Incharge),
Kancheepuram Municipality
Kancheepuram.

To

A.Ayubkhan,
Muthavalli
No.77, Senkzhuneer Odai
Street.

R.C.No.001554 date 19.02.2019

Sir,

Ref (1) Letter dated 08.10.2016 from A.Ayubkhan No.77,
Senkzhuneer Odai Street, Kancheepuram - 631 502.

(2) Application dated 28.02.2019 from A.Ayubkhan No.77,
Senkzhuneer Odai Street, Kancheepuram - 631 502.

As per the petition under reference (1) from A.Ayubkhan No.77, Senkzhuneer Odai Street, an inspection was conducted on 19.02.2019 at Kancheepuram Municipality, Public Health Ward No.5 and notice have been issued to concerned meat shop holders. This is also to inform that further action is being taken. A copy of the action taken through Municipality is being enclosed and sent along with this letter.

Enclosure:

- (1) Copy of the letter sent to State Information Commission.
- (2) Copy of the letter sent to Department of Food Safety.
- (3) Copy of the letter sent to the Revenue Divisional Officer.
- (4) Copy of the notice sent to concerned meat shop holders.

Copy

The Town Welfare Officer : submitted for information
Kancheepuram Municipality,
Copy to file.

Sd/-.....,
01.03.2019,

Commissioner (incharge),
Kancheepuram Municipality.

11. Materials on record further shows that the Designated Officer, Food Safety Section, Kancheepuram District, Kancheepuram, Tamil Nadu Food Safety and Drug Administration Department, Kancheepuram District has also written a letter to the Commissioner (In-charge), Kancheepuram Municipality, Kancheepuram that advice has been given to the shop owners to keep their shops in neat and clean condition. Besides, the Designated Officer, Food Safety Section, Kancheepuram has also noticed under Section 63 of Food Safety Act, 2006 to the shop owners, who do not possess license. Letter dated 07.03.2019 addressed to the Commissioner (In-charge), Kancheepuram Municipality, Kancheepuram reads thus:-

From	To
Thiru. K.Magendiran, B.E.,	A.Ayubkhan
Engineer - Municipal Admn &	Muthavalli
Commissioner (Incharge)	No.77, Senkzhuneer
Kancheepuram Municipality	Odai Street.
Kancheepuram	
R.C.No.1554/2019/H1 date 01.03.2019	

Sir,

Ref (1) Letter dated 08.10.2016 from A.Ayubkhan No.77, Senkzhuneer Odai Street, Kancheepuram - 631 502.

(2) Application dated 28.02.2019 from A.Ayubkhan No.77, Senkzhuneer Odai Street, Kancheepuram - 631 502.

As per the petition under reference (1) from A.Ayubkhan No.77, Senkzhuneer Odai Street, an inspection was conducted on 19.02.2019 at Kancheepuram Municipality, Public Health Ward No.5 and notice have been issued to concerned meat shop holders. This is also to inform that further action is being taken. A copy of

the action taken through Municipality is being enclosed and sent along with this letter.

Enclosure:

- 1) Copy of the letter sent to State Information Commission
- 2) Copy of the letter sent to Department of Food Safety
- 3) Copy of the letter sent to the Revenue Divisional Officer
- 4) Copy of the letter sent to concerned meat shop holders

copy

The Town Welfare Officer: submitted for information

Kancheepuram Municipality

copy to file

Sd/-.....

01/03/2019

Commissioner (in charge)
Kancheepuram Municipality

12. Material on record further discloses that Executive Officer/Wakf Inspector, Superintendent, Hazarath Syed Shah Amid Avuliya Darga Wakf, (under the direct administration of Tamil Nadu Wakf Board), Senkashuneer Odai Street, Big Kancheepuram has also requested the Commissioner, Municipality, Kancheepuram to do scavenging work regularly. Thus from the above, it could be seen that action has been taken against the shop owners, who do not possess licence and advice has also been given as stated supra. However, we are of the considered view that action taken by the departments should come to a logical end. In such view of the matter, Commissioner Kancheepuram Municipality Kancheepuram/first respondent, is directed to dispose of the representations of the writ petitioner, as regards the complaint of certain Chicken and Mutton centres near the Darga, without licence and take appropriate action as expeditiously as possible, by giving opportunity to the persons likely to be affected. Such exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

13. Accordingly the writ petition stands disposed of. No costs. Consequently connected miscellaneous petition is also closed.

WEB COPY

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

- 1.The Commissioner,
Kancheepuram Municipality,
Kancheepuram - 631 502.
- 2.The District Collector,
Kancheepuram District,
Kancheepuram - 631 502.
- 3.The Commissioner of Municipal Administration,
VI Floor, Ezhilagam Annex Building,
Chepauk, Chennai - 600 005.

W.P.Nos.23236, 23318, 23336 & 23346 of 2019
and W.M.P.Nos.22928, 23065, 23082, 23092 of 2019

rv[co]
srg 27/09/2019



WEB COPY