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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2020

CORAM

THE HON'BLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.NO.1206 OF 2020

AND

W.M.P.NOS.1474 & 1475 OF 2020

1. T.K.Raja
S/o.T.S.Kannan

2. T.K.Ravi
S/o.T.S.Kannan

... Petitioners

vs.

1. The District Superintendent of Police
Thirupathur - 635 601
Thirupathur District.

2. The Inspector of Police
Thirupathur Town Police Station
Thirupathur - 635 601
Thirupathur District.

... Respondents

(in WP.Nos.21097 & 21098 of 2018)

Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus, directing the first respondent to consider the representations dated 13.08.2018 and 24.12.2018 as per G.O.Ms.No.53 Labour and Employment (K2) dated 22.03.2017 and followed by another G.O.(Ms.) No.60, Labour and Employment (K2) Department dated 28.05.2019.

For Petitioners : M/s.M.Chithira Gomathy

For Respondents : Mr.K.Magesh
Special Government Pleader

O R D E R

This writ petition is filed seeking for mandamus directing the first respondent to consider the representations of the petitioners dated 13.08.2018 and 24.12.2018 as per G.O.Ms.No.53,



Labour and Employment Department (K2) dated 22.03.2017 and G.O.Ms.No.60, Labour and Employment Department (K2) dated 28.05.2019.

2. Mr.K.Magesh, learned Special Government Pleader takes notice for the respondent. By consent of both the parties, the main writ petition is taken up for final disposal at the admission stage itself.

3. It is stated that these petitioners are running 2 shops/hotels at a Shopping Complex constructed by the Tirupathur Municipality. It is further stated that the respondent-Police insisted the petitioners to close their business hours before 11.00 p.m. every day. The petitioners' contention is that they are entitled to run the business even after 11.00 p.m. for 24 x 7 throughout the year. The petitioners in support of their claim sought to rely on two Government Orders referred to in the writ petition. Thus, by placing reliance on those two Government Orders, the petitioners made representations to the first respondent on 13.08.2018 and 24.08.2018 seeking permission to run the business beyond 11.00 p.m.

4. The grievance of the petitioners is that the said representations have not been considered so far.

5. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioners, as it is for the first respondent to consider and decide, also by looking into the above said Government Orders relied on by the petitioners. Thus, this Writ Petition is disposed of, only by directing the first respondent to consider the representations of the petitioners and pass orders on the same on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

mk

To

1.The District Superintendent of Police
Thirupathur - 635 601
Thirupathur District.



2.The Inspector of Police
Thirupathur Town Police Station
Thirupathur - 635 601
Thirupathur District.

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+1cc to M/s.M.Chithira Gomathy, Advocate, S.R.No.4013

W.P.No.1206 of 2020

RV (CO)
CS/24/01/2020