



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.09.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.12504 of 2020

and

W.M.P. (MD)Nos.10680 and 10681 of 2020

WEB COPY

V.S.Boat Centre,
Represented by its Managing Partner,
P.Vijayakumar,
Mel Midalam,
Udayamarthandam,
Kanyakumari District.

... Petitioner

Vs.

The President,
Midalam Panchayat,
Killiyur,
Kanyakumari District.

... Respondent

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records of the proceedings in Mee Ooo Kaa En 36/2020-21, dated 25.08.2020 on the file of the respondent and to quash the same as illegal and without jurisdiction.

For Petitioner : Mr.Govind Chandrasekar
for Mr. Sharath Chandranand

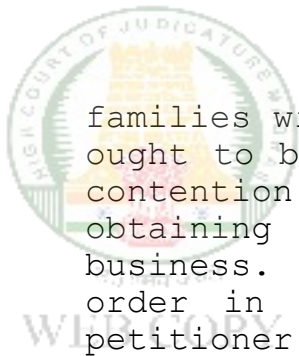
For Respondent : Mr.N.Shanmuga Selvam

O R D E R

Heard the learned counsel on either side. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

2.The respondent had issued the impugned order dated 25.08.2020 calling upon the petitioner to permanently close down the petitioner's boat building centre. The stand of the respondent is that without getting license, the petitioner cannot run the unit in a residential area. The stand of the petitioner is that the petitioner is willing to abide by any precautionary measures that may be ordered to be taken.

3.Be that as it may, I am of the view that such coercive measures need not be taken during this pandemic times. The petitioner in his affidavit states that as many as 20 families are dependent on this business. If the unit is ordered to be closed, certainly the livelihood of the petitioner as well as the dependent



families will be disrupted. I am of the view that such consequences ought to be avoided. At the same time, I cannot brush aside the contention of the learned counsel for the respondent that without obtaining proper license, the petitioner cannot carry on with the business. Therefore, I direct the respondent to keep the impugned order in abeyance for a period of six months. It is for the petitioner to regularise the running of his business in the meanwhile.

4.The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The President,
Midalam Panchayat,
Killiyur, Kanyakumari District.

+1 CC to M/s.GOVIND CHANDRASEKAR, Advocate (SR-17927[F] dated 24/09/2020)

W.P. (MD)No.12504 of 2020
24.09.2020

SCR(CO)

AP(06/10/2020) 2P 3C