



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.23813 of 2021

M/s Shri Skanda Poultry Farm,
(Regd. Partnership Firm)
Rep. By its Managing Partner,
R. Palanisamy
No. 51 Murungaikadu Post
Thottipalayam, Tiruppur 644 727

...Petitioner

Vs.

1. The Zonal Joint Director,
Animal Husbandry Department,
Tiruppur District.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondent herein to consider the petitioner's application dated 25.08.2021 sent for granting license for setting up a Poultry Farm at No.51, Murungaikadu, Thalaivapalayam Post, Thottipalayam, Tiruppur-644 727 within a stipulated period.

For Petitioner : Mr. K. Govi Ganesan
For Respondent : Mr. M.R. Gokul Krishnan
Government Advocate.

O R D E R

The petitioner has filed this petition under Article 226 of the Constitution of India to direct the 2nd Respondent to issue a Writ of Mandamus directing the Respondent herein to consider the petitioner's application dated 25.08.2021 sent for granting license for setting up a Poultry Farm at No.51, Murungaikadu, Thalaivapalayam Post, Thottipalayam, Tiruppur-644 727 within a stipulated period.

2. Mr. M. R. Gokul Krishnan, learned Government Advocate takes notice for the respondent. In view of the limited relief sought for in this petition and on the consent



expressed by the Learned counsel appearing for either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner entered into a partnership Agreement to carry on business of Poultry Farm and same was Registered under the Partnership Act. When she started to put up construction, the notice was issued prohibiting the petitioner from proceeding with the construction on the allegation that there is a protest by the villagers against the put up the Hatcheries. Therefore the petitioner filed Writ Petition before this Court in W.P.No.10649 of 2021 and the same is pending. Thereafter, the petitioner came to know that no license is required for opening Poultry Farm, however, G.O. Ms.No.122 prescribes the regulation for establishing the poultry farm stating that the consent of the TNPCB is required and therefore the petitioner made an application for consent before the TNPCB and the same is pending. Such being the case, the petitioner made a representation on 25.08.2021 for grant of permission to register the said farm with the Respondent herein. However, till date no action was taken by the Respondent. Hence the present Writ Petition is filed seeking the above relief.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the respondent to consider the petitioner's application dated 25.08.2021 within the time frame fixed by this Court.

5. The learned Government Advocate has no objection for the said order being passed.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the Respondent to consider the petitioner's application dated 25.08.2021, after affording opportunity to the petitioner as well as the respondent and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order. Accordingly, this writ petition is disposed of. No costs.

s/d-
Assistant Registrar

//True Copy//

Sub-Assistant Registrar



NHS

To

1. The Zonal Joint Director,
Animal Husbandry Department,
Tiruppur District.

+1 CC to The Government Pleader sr 58053.

W.P.No.23813 of 2021

GPL(CO)
SP(01/12/2021)