



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.10.2021

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. (MD)No.17847 of 2021

Banumathy

... Petitioner

Vs.

The Commissioner,
Thiruthangal Municipality,
Thiruthangal,
Virudhunagar District.

... Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to consider the petitioner's application dated 13.09.2021 to issue trade licence to Petitioner's proprietorship namely Kesavan Packaging, situated at D-72/1, Sanchiyapuram Road, Thiruthangal, Virudhunagar District.

For Petitioner : Mr.T.Lenin Kumar

O R D E R

The petitioner seeks a direction to consider his application dated 13.09.2021 to issue a trade licence in respect of the proprietary concern, Kesavan Packaging, situated at D-72/1, Sanchiyapuram Road, Thiruthangal, Virudhunagar District.

2.The petitioner states that he is running the above mentioned business for the past four years at the location mentioned above. According to the petitioner, based upon a complaint by a person running a business in an adjacent location, the respondent issued communication dated 02.09.2021. After receipt of such communication, the petitioner applied for a trade licence. The present writ petition is filed for a direction to consider and dispose of the application for the trade licence.

3.The petitioner has enclosed a copy of the notice dated 02.09.2021 from the respondent. By such notice, the petitioner was informed of seven shortcomings. These include non-payment of property tax, not obtaining a trade licence, not obtaining a certificate from the Fire and Rescue Services Department, not obtaining a building permit, not submitting a copy of the relevant plan and not obtaining consent from the Tamil Nadu Pollution Control Board.

4.Except the representation dated 13.09.2021, the petitioner has not produced any evidence with regard to the steps taken to



remedy the shortcomings pointed out by proceedings dated 02.09.2021. Therefore, the petitioner is not entitled to a mandamus as prayed for herein.

5. Accordingly, W.P(MD).No.17847 of 2021 is dismissed without any order as to costs by leaving it open to the petitioner to apply for and obtain the requisite consents and permits, as indicated in the communication dated 02.09.2021.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

The Commissioner,
Thiruthangal Municipality,
Thiruthangal,
Virudhunagar District.

W.P. (MD) No. 17847 of 2021

04.10.2021

PS (CO)/RS (18.10.2021) 2P 2C