



*W.P(MD)No.20059 of 2013*

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.07.2022

CORAM

**THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)No.20059 of 2013**

**and**

**M.P(MD)Nos.1 of 2013 & 1 of 2014**

Venkatakrishnan

... Petitioner

Vs.

- 1.The District Collector,  
District Collector Office,  
Thanjore District.
- 2.The Assistant Director of Panchayat,  
Thanjavur Division,  
Panagal Building,  
Thanjore,  
Thanjore District.
- 3.The Executive Officer,  
Selection Grade Panchayat,  
Town Panchayat Building,  
Thiruvaiyaru,  
Thanjore District.
- 4.The Tahsildar,  
Tahsildar Office,  
Thiruvaiyaru,  
Thanjore District.



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5.The Divisional Health Supervisor,  
Government Preliminary Health Centre,  
Nadukaveri Post,  
Thiruvaiyaru, Thanjore District.

6.Nagaraj

7.Tamilarasi

... Respondents

**PRAYER :** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents no.1 to 5 to conduct enquiry based on the petitioner's representation dated 21.8.2013 and to take an appropriate action to remove the sixth and seventh respondents broilar shop situated in Door.No.243/282, South street,Thiruvaiyaru, Tanjore District.

For Petitioner : Mr.S.A.Ajmal Khan  
For R1,R2,R4 & R5 : Mr.N.Muthuvijayan  
Special Government Pleader  
For R3 : No Appearance  
For R6 & R7 : Mr.M.R.S.Prabhu

### **ORDER**

The present writ petition has been filed for a writ of Mandamus directing the official respondents 1 to 5 herein to conduct an enquiry based on the petitioner's representation and to remove the broilar shop of the respondents 6 and 7 herein in Door No.243/282, South Street, Thiruvaiyaru, Thanjavore District.



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2. According to the learned counsel for the petitioner, these sixth and seventh respondents are running a broilar shop in an unhygienic manner, without obtaining any license from any of the statutory authorities. Despite several representations, the authorities have not initiated any action. Hence, the present writ petition has been filed.

3. On the other hand, the learned counsel for the private respondents has produced the documents to the effect that from the year 1999 onwards, they are running the shop with license with effect from 22.10.1999. Thereafter, a civil suit has been instituted by the seventh respondent herein, challenging an order passed by the Municipal authorities and the local body to close down the shop. The said suit was decreed in favour of the seventh respondent herein, in O.S.No.1 of 2000 on 18.09.2000. The private respondents have also produced the FSSAI license for the period covering from 01.09.2021 to 31.08.2026 for running a mutton stall in the said premises.

4. In view of all the documents produced on the side of the private respondents herein, as on today, the respondents 6 and 7 are having



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license to run the shop from the statutory authorities. Hence, the request of the writ petitioner cannot be considered at this stage. This Writ Petition is closed. No costs. Consequently, connected Miscellaneous Petitions are closed.

**28.07.2022**

Index : Yes / No  
Internet : Yes / No  
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To

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**R.VIJAYAKUMAR ,J.**

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Order made in  
W.P(MD)No.20059 of 2013

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