



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.04.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.8616 of 2022

and

W.M.P[MD]No.6338 of 2022

WEB COPY

S.Gunaseelan

... Petitioner

/Vs./

1.The District Collector,
Pudukkottai, Pudukkottai District.

2.The General Manager,
Co-operative Milk Producers Union Ltd., (Awin),
Pudukkottai, Pudukkottai District.

3.The Dean,
Government Medical College,
Pudukkottai, Pudukkottai District.

4.The Executive Engineer,
Public Work Department,
Building Construction and Maintenance,
Medical Works, Trichy. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records comprised in proceedings in Na.Ka.No.297/MFG/2021-2022, dated 18.04.2022 on the file of the 2nd respondent and quash the same and consequently, direct the 2nd respondent to pass suitable orders on the basis of the petitioner's representation dated 25.04.2022.

For Petitioner : Mr.G.Mathavan
For Respondents : Mr.P.Thilak Kumar,
Government Pleader.

ORDER

This writ petition has been filed challenging the impugned order dated 18.04.2022 issued by the second respondent calling upon the petitioner to vacate the premises within a period of one week.

2.According to the petitioner, he has been granted licence by the second respondent on the basis of the No Objection Certificate issued by the third respondent. The licence was granted on 26.02.2021. However, arbitrarily without giving any opportunity of hearing, the impugned order has been passed by the second respondent



calling upon the petitioner to vacate the premises on the ground that the third respondent objected to the petitioner from running the Aavin Parlour.

3.Heard Mr.G.Mathavan, learned Counsel for the writ petitioner and Mr.P.Thilak Kumar, learned Government Pleader, who accepts notice on behalf of the respondents.

4.As seen from the impugned order dated 18.04.2022, no opportunity of hearing has been granted to the petitioner.

5.The learned Standing Counsel appearing for the second respondent, would now submit that the same shall be treated as show cause notice issued to the petitioner.

6.Since the same is treated as show cause notice, the petitioner is permitted to submit a reply to the impugned order dated 18.04.2022 within a period of one (1) week from the date of receipt of a copy of this order. On receipt of the same, the second respondent shall pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner, including granting him the right of personal hearing, within a period of four (4) weeks thereafter. Till final orders are passed by the second respondent, the petitioner's possession and right to run the Aavin Parlour shall not be disturbed by the second respondent.

7.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (A.D.I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The District Collector,
Pudukkottai, Pudukkottai District.

2.The General Manager,
Co-operative Milk Producers Union Ltd., (Awin),
Pudukkottai, Pudukkottai District.

3.The Dean,
Government Medical College,
Pudukkottai, Pudukkotai District.

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4.The Executive Engineer,
Public Work Department,
Building Construction and Maintenance,
Medical Works, Trichy.

+1 CC to M/s.SPL. GP (SR-22978[F] dated 29/04/2022)

W.P. [MD]No.8616 of 2022
28.04.2022

RD(24.05.2022) 3P 6C