



W.P.(MD)No.13448 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.07.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.13448 of 2022

and

W.M.P(MD)No.9542 of 2022

Selva Lakshmanan

... Petitioner

Vs

1.The Commissioner,
Thoothukudi Municipal Corporation,
Palayamkottai Road,
Thoothukudi – 628 002.

2.The Health Inspector,
Public Health Department,
East Zone,
W.G.C.Road,
Thoothukudi – 628 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for records relating to the proceedings No. H1/0103/2021/EZ dated 28.03.2022 of the second respondent and to quash the same and restrain the respondents 1 and 2 from interfering with the cattle feed business of the petitioner under Registration Certificate in R.C.No. 33AJTPS1766K1ZI at Door No. 26, New No. 83 Periya Kadai Street, Thoothukudi- 628 001 by allowing the above writ petition.



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For Petitioner : Mr.G.Aravinthan

For Respondents : Mr.N.Ananda Kumar
Standing Counsel

ORDER

Heard the learned counsel on either side.

2. The impugned communication shall be treated only as a show cause notice. The petitioner has since given his explanation. The Sanitary Officer who has been erroneously described as Health Inspector in the cause title shall pass appropriate order on merits and in accordance with law. I make it clear the authority concerned shall not treat the averments set out in the impugned notice as final finding of fact. The impugned notice does read as if the facts have already been predetermined. It cannot be so. The reasons set out in the impugned notice will only be taken as tentative conclusions and nothing beyond. Only after hearing the writ petitioner in person and after holding proper enquiry final order will be passed in the matter.

3. This writ petition is disposed of accordingly. Consequently, connected miscellaneous petition is closed. No costs.

11.07.2022

Index : Yes / No

Internet : Yes/ No

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G.R.SWAMINATHAN, J.

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