



W.P(MD)No.19499 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.07.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.19499 of 2021

and

W.M.P.(MD)No.16199 of 2021

M.Sasikumar

... Petitioner

Vs.

- 1.The Principle Secretary to Government
Municipal Administration and Water Supply Department,
Government of Tamil Nadu,
Fort St.George, Chennai.
- 2.The Commissioner of Municipal,
Administration, Ezhilagam,
Chepackkam,
Chennai-05.
- 3.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 4.The Commissioner,
Ramanathapuram Municipality,
Ramanathapuram District.
- 5.The Pasipattarai Street,
Mohaideen Andavar Pallivasal,
represented by its Managing Trustee, No.175,
Therpasayanam Road,



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Velipattainam Post,
Ramanathapuram-623504.

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(R5 is impleaded vide order dated 25.07.2022
in W.M.P.(MD)No.260 of 2022)

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the fourth respondent to ensure that no unauthorized private fish market is functioning within the municipality limits by taking immediate steps to close down the unauthorized private fish market as per Section 267 of the Tamil Nadu District Municipality Act, 1920 enabling the petitioner to run the newly constructed integrated fish market effectively.

For Petitioner : Mr.R.Gowrishankar

For R1 to R3 : Mr.M.Prakash
Additional Government Pleader

For R4 : Mr.A.Kannan
Standing Counsel

For R5 : Mr.S.Parthasarathy
for Mr.J.M.Hassanul Bazari

ORDER

No exception can be taken to the prayer made in W.P.(MD)No.19499 of 2021. Of-course, as per the provisions set out in Tamil Nadu District Municipalities Act, 1920, a sale cannot take place in an unauthorized places. But then, the petitioner has targeted only the two fish markets run by the Pallivasal. In W.P.(MD)No.9206 of 2021, I have already directed the



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Municipality to issue license in favour of the said Pallivasal to continue to run the private fish market. Therefore, in the light of the order made in W.P. (MD)No.9206 of 2021, W.P.(MD)No.19499 of 2021 is closed. No costs. Consequently, connected miscellaneous petition is also closed.

28.07.2022

Index : Yes / No
Internet : Yes/ No
rmi

To

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- 2.The Commissioner of Municipal,
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- 3.The District Collector,
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G.R.SWAMINATHAN, J.

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