



W.P.No.2706 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2023

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN
AND
THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

Writ Petition No.2706 of 2023

G.Kuselan

.. Petitioner

Vs.

1. The District Collector
Ranipet District
Ranipet.
2. The Commissioner
Sholinghur Municipality
Sholinghur, Ranipet District.
3. The Health Inspector
Public Health and Sanitation
Ranipet District.

.. Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondents to remove the beef shop situated as West Boardingpet Street, Sholinghur, Ranipet District, Ranipet within the scope of the Tamil Nadu District Municipalities Act, 1920.



W.P.No.2706 of 2023

WEB COPY

For the Petitioner : Ms.R.T.Sundari
For the Respondents : Mr.A.Selvendran
Special Government Pleader
for Respondents 1 & 3

ORDER

(Order of the Court was made by R.Mahadevan,J)

The petitioner seeks a direction to the respondents to remove the beef shop situated at West Boardingpet Street, Sholinghur, Ranipet District, Ranipet, within the scope of the Tamil Nadu District Municipalities Act, 1920.

2. It is the case of the petitioner that he is an agriculturist and is a resident of West Boardingpet Street, which is situated in the centre of the village. There are nearly 400 houses in the said street and more than 1000 vehicles passing through the main road. The petitioner's grievance is that there is a beef shop in his street. As per the information obtained through the Right to Information Act, the said beef stall is functioning for the past 5 years without obtaining any permission from the authorities concerned. According to the petitioner, a church is situated just opposite to the said beef shop and nearly, 200



W.P.No.2706 of 2023

to 300 people visit the church for prayers during Sundays and the said shop creates various nuisances and health hazards to the public. Hence, the petitioner gave a representation to the respondents on 04.11.2022 requesting to remove the said shop. However, no action has been taken, till date. Therefore, this writ petition.

3. The learned counsel for the petitioner submitted that the unlicensed beef shop functioning in the West Boardingpet Street, Sholingur, Ranipet District causes nuisances and health hazards to the public and hence, the petitioner submitted a representation to the respondents to remove the said shop from the street, but the same is pending without any action. The learned counsel further submitted that already, there is an order dated 20.12.2021 passed in W.P.No.37708 of 2015 [*V.Paneerselvam v. Executive Authority, Panagal Village Panchayat, Nagapattinam District*], in which, the Director of Rural Development, Panagal Building, Saidapet, Chennai, was directed to issue appropriate directions/ instructions to all subordinate authorities to implement the Tamil Nadu Village Panchayats (Prohibition or Regulation of the use of Places for



W.P.No.2706 of 2023

WEB COPY

Slaughtering Animals and Licensing of Slaughterers) Rules, 1999 and initiate all appropriate actions against the violators. Therefore, the respondent authorities may be directed to consider the petitioner's representation, within a time frame to be stipulated by this court.

4. On the other hand, the learned Special Government Pleader taking notice for the respondents, fairly submitted that the respondent authorities would consider the petitioner's representation and take appropriate action, as per law.

5. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this court, without going into the merits of the case, directs the respondents to consider the representation of the petitioner dated 04.11.2022 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to all the parties concerned, within a period of eight weeks from the date of receipt of a copy of this order.



W.P.No.2706 of 2023

WEB COPY

6. With the aforesaid direction, this writ petition stands disposed of. No costs.

(R.M.D.,J.) (M.S.Q., J.)
03.02.2023

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

1. The District Collector
Ranipet District
Ranipet.
2. The Commissioner
Sholinghur Municipality
Sholinghur, Ranipet District.
3. The Health Inspector
Public Health and Sanitation
Ranipet District.



WEB COPY



W.P.No.2706 of 2023

R.MAHADEVAN,J,
and
MOHAMMED SHAFFIQ, J.

(kpl)

W.P.No.2706 of 2023

03.02.2023