



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.08.2023**

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
AND
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P(MD)NO.6740 OF 2023

Pearl Cold Storage,
represented by its Managing Partner,
M.Jayaraj.

:Petitioner

.VS.

- 1.The District Collector,
Office of the Collectorate,
Thoothukudi.
- 2.The Assistant Director,
Department of Rural Development and Panchayat Raj,
Thoothukudi District.
- 3.The Assistant Director,
District, Town and Country Planning,
Thoothukudi District.
- 4.The Block Development Officer/Commissioner,
Office of the Block Development Officer/Commissioner,
Vilathikulam Union,
Thoothukudi.
- 5.The President,
M.Sanmugapuram Village Panchayat,
Vilathikulam Union,
Thoothukudi District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of



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India, praying this Court to issue a Writ of Mandamus directing the respondents to consider the application of the Petitioner, dated 2.3.2023 and to issue the licence and approval to the Petitioner for running the Petitioner's Pearl Cold Storage Plant situated at Keela Sanmugapuram Village, Soorankudi Post, Vilathikulam Taluk, Thoothikudi District.

For Petitioner : Mr. S. Ramsundar Vijayaraj

For Respondents : Mr. P. Thilak Kumar
1 to 3 Govt. Pleader

For Respondents : Mr. A. Kannan
4 and 5 Addl. Govt. Pleader

ORDER

(Order of the Court was made by S.S.SUNDAR,J)

This Writ Petition is filed seeking issuance of a Writ of Mandamus directing the respondents to consider the application of the Petitioner, dated 2.3.2023 and to issue the licence and approval to the Petitioner for running the Petitioner's Pearl Cold Storage Plant situated at Keela Sanmugapuram Village, Soorankudi Post, Vilathikulam Taluk, Thoothikudi District.

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.



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3.The learned counsel for the Petitioner states that the representation of the Petitioner was rejected earlier and the Petitioner has filed Writ Petition in W.P.No.10227 of 2023 challenging the order rejecting the application filed by the Petitioner for grant of licence/permission. The Petitioner has also filed Writ Petition challenging the order directing the closure of the unit and the same was rejected on ground that he has not obtained any permission. Further, the Petitioner has filed an application for grant of building plan approval. The representation of the Petitioner was rejected on the ground that the Petitioner's application for approval of building plan will be considered independently. Hence this Court finds no merit in the Writ Petition and as such, this Court is not inclined to entertain this Writ Petition.

4.Accordingly, the Writ Petition stands dismissed. No costs. However, liberty is given to the Petitioner to pursue his application for grant of building plan approval and the Writ Petition in W.P.No. 10227 of 2023, where, he challenged the order adverse to him.

[S.S.S.R.,J.] [D.B.C,J.]
04.08.2023

Index:Yes/No
Internet:Yes/No



NCC:Yes/No

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To

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S.S.SUNDAR, J.

AND



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D.BHARATHA CHAKRAVARTHY,J.

vsn

ORDER MADE IN
W.P(MD)NO.6740 OF 2023

04.08.2023