



W.P.(MD).No.16554 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.16554 of 2021

Sowndhirapandi

... Petitioner

Vs.

1.The Deputy Registrar (Dairy),
Avin Campus, Sivagangai Road,
Madurai.

2.The Special Officer,
A-1965, Usilampatti Co-operative
Milk Society,
Avin Campus, Sivagangai Road,
Madurai.

3.The General Manager,
Madurai District Co-operative Milk
Producers Union,
Madurai.

4.The Commissioner,
Office of the Usilampatti Municipality,
Usilampatti, Madurai District.

... Respondents



W.P.(MD).No.16554 of 2021

WEB

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a ***Writ of Mandamus***, to direct the respondent nos.1 and 2 to grant permission to demolish the dilapidated condition building in Door No.59A, Gavundanpatti Road, Usilampatti, Madurai District based on the proceedings of the 4th respondent in Na.Ka.No.850/F1/2018, dated 23.03.2018.

For Petitioner : Mr.D.S.Haroon Rasheed
For R1 to 3 : Mr.M.Ramesh
Government Advocate
For R4 : Mr.T.Ravikumar

ORDER

This writ petition is filed for issuance of writ of Mandamus, to direct the 1st and 2nd respondents to grant permission to demolish the dilapidated condition building in Door No.59A, Gavundanpatti Road, Usilampatti, Madurai District based on the proceedings of the 4th respondent, dated 23.03.2018.

2. The petitioner is the President of Govandanpatti Milk Producers Co-operative Society. The building belongs to 1st and 2nd respondents. The petitioner is using the building to sell the dairy products. The contention of the



W.P.(MD).No.16554 of 2021

petitioner is that the building is in dilapidated condition, based on the said fact, the 4th respondent has also granted permission to demolish the dilapidated building. However, the respondents 1 to 3 are not taking any steps.

3.The learned Government Advocate appearing for the respondents 1 to 3 submitted that the appropriate authority would be the Commissioner of Milk Production and Dairy Development Department, Chennai. This Court is not able to accept the contention that the Commissioner alone is empowered.

4.Therefore, the 1st respondent is directed to take permission from the Commissioner Milk Production and Dairy Development Department, Chennai and take necessary steps to demolish the building, as per the report by the 4th respondent. The 1st respondent is directed to submit the proposal within a period of one week from the date of receipt of a copy of this order. The Commissioner Milk Production and Dairy Development Department, Chennai is directed to grant permission within a period of four weeks therefrom.



W.P.(MD).No.16554 of 2021

WEB COPY

5. With the above said observation, the writ petition is disposed of.

No costs.

17.08.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Tmg

To

Avin Campus, Sivagangai Road,
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W.P.(MD).No.16554 of 2021

S.SRIMATHY, J.

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W.P.(MD).No.16554 of 2021

17.08.2023