



WEB COPY



W.P.No.1995 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.04.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.1995 of 2024

K.KUSELAN

.. Petitioner

Vs

1 THE COMMISSIONER
SHOLINGHUR MUNICIPALITY
SHOLINGHUR, RANIPET DISTRICT.

2 D.MANICKAM
3 P.VILWANATHAN
4 K. PAZHANI

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus calling for the records passed by the 1st respondent in NaKa. No.15/2023/F1, dated 10.10.2023 and quash the same and consequently directing the 1st respondent to remove the goat, beef shop situated at West Boardingpet Street, Sholinghur, Ranipet District, causing dangerous hazard to the public within the scope of the Tamil Nadu District Urban Rule 2023.



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For the Petitioner : Ms.R.T.Sundari

For the Respondents : Mr.T.K.Saravanan
Government Advocate
for 1st respondent

: Mr.K.G.Senthil Kumar
for respondents 2 to 4

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

Heard Ms.R.T.Sundari, learned counsel for the petitioner;
Mr.T.K.Saravanan, learned Government Advocate for the first
respondent; and Mr.K.G.Senthil Kumar, learned counsel for
respondents 2 to 4.

2. It is not disputed that the present respondents 2 to 4 are
running a meat and beef shop without any permission/licence.

3. Learned Government Advocate for the first respondent
accepts the fact that respondents 2 to 4 do not possess the licence
to run the meat and beef shop.



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4. According to learned counsel for respondents 2 to 4, the municipality has been upgraded in the year 2019. Respondents 2 to 4 are running the business for more than 15 years. Respondents 2 to 4 would apply for the permission/licence.

5. The first respondent has been upgraded five years back. Respondents 2 to 4 ought to have applied for the licence by now. Respondents 2 to 4 may make an application within seven days from today for necessary permission/licence, which application shall be considered by the first respondent, on its own merits and in accordance with law, preferably within two months from the date of filing of the application. Depending upon the decision on the application, the first respondent shall take steps and prevent any illegal running of the business. If the application is not filed by respondents 2 to 4 within seven days from today seeking necessary permission/licence, then the first respondent can proceed immediately.



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With these observations and directions, the writ petition is disposed of. There shall be no order as to costs. Consequently, W.M.P.No.2118 of 2024 is closed.

(S.V.G., CJ.)

(J.S.N.P., J.)

03.04.2024

Index : Yes/No
Neutral Citation : Yes/No
sasi

To

THE COMMISSIONER
SHOLINGHUR MUNICIPALITY
SHOLINGHUR, RANIPET DISTRICT.



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THE HON'BLE CHIEF JUSTICE
AND
J.SATHYA NARAYANA PRASAD,J.

(sasi)

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