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W.P.No.12725 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2024

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THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.12725 of 2020
W.M.P.No.15722 of 2020

Star Biryani
Represented by its Partner
Muneer Ahmed

... Petitioner

Vs.

1.The Municipal Commissioner
Ambur Municipality
Thirupattur District.

2.The Health Department
Ambur Municipality
Thirupattur District.

3.Beef Biryani Centre
Kannigapuram, Ambur (T.K)
Vellore, Tirupattur District
Tamil Nadu – 635 802.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to close down the food establishment unauthorizedly carried on by the 3rd respondent in the name of BEEF BRIYANI CENTRE at Door no. Kannigapuram, Ambur (t.k) Vellore, Tirupattur District, Tami Nadu - 635802 and to forbear the 3rd respondent from carrying on business unauthorized against the provisions of the statute.



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For the petitioner

: Ms.V.Srimathi

For the respondents

: Mr.S.Arumugam, GA for RR1 & 2

Ms.S.Tamizharasi for R3

ORDER

This Writ Petition has been filed for a direction directing the 1st respondent to close down the food establishment unauthorizedly carried on by the 3rd respondent in the name of BEEF BRIYANI CENTRE at Door no. Kannigapuram, Ambur (t.k) Vellore, Tirupattur District, Tami Nadu - 635802 and to forbear the 3rd respondent from carrying on business unauthorized against the provisions of the statute.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing on behalf of the respondents 1 and 2 and also perused the material records available on record.

3. It is seen that the petitioner is also running a Biriyani Centre in the name and style of 'Star Biriyani'. The 3rd respondent is the competitor for petitioner's Biriyani business. Therefore, the petitioner submitted representation stating that the 3rd respondent running a Biriyani Centre without any license. Since, both the petitioner and the 3rd respondent are doing the same business and



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in order to wreck up vengeance, the petitioner might have given the representation before the authorities concerned. Therefore, the prayer as such sought in this Writ Petition cannot be granted.

4. Accordingly, this Writ Petition stands dismissed. However, the 1st respondent is directed to ensure that the petitioner as well as the 3rd respondent are running their business in accordance with law. No costs. Consequently, the connected miscellaneous petition is closed.

26.09.2024

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Index : Yes/No

Internet : Yes/ No

Speaking order / Non speaking order

Neutral citation : Yes/No

To

1.The Municipal Commissioner
Ambur Municipality
Thirupattur District.

2.The Health Department
Ambur Municipality
Thirupattur District.

G.K.ILANTHIRAIYAN, J.,
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