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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.12.2024

CORAM

THE HON'BLE MR. JUSTICE S.M. SUBRAMANIAM

AND

THE HON'BLE MR. JUSTICE V. LAKSHMINARAYANAN

W.P. No. 39733 of 2024

Syed Mustafa

..Petitioner

Vs.

1. The District Collector,
Kallakurichi District.
2. The Commissioner,
Kallakurichi Municipality,
Kallakurichi.

..Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus directing the respondents to shift the fish market/stall, namely Anna Fish Market from Kallakurichi Bus Terminus to some other place and also to provide proper public lavatory in Kallakurichi bus terminus.



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For Petitioner :: Ms.R. Poornima

For Respondents :: Ms.S. Anitha,
Spl. Govt. Pleader

O R D E R

(Made by S.M. SUBRAMANIAM,J.))

The writ petition is filed for issue of a Writ of Mandamus directing the respondents to shift the fish market/stall, namely Anna Fish Market from Kallakurichi Bus Terminus to some other place and also to provide proper public lavatory in Kallakurichi bus terminus.

2. The prayer sought by the petitioner for shifting of fish market/stall cannot be granted by this Court in these writ proceedings in view of the fact that the learned counsel for the respondents, based on written instructions of Commissioner of Kallakurichi Municipality, submits that all necessary actions have been initiated to maintain the fish market and toilet properly. Further, the fish market is situate in the corner of Kallakurichi Bus Terminus and it will not cause any nuisance to the residents of that locality. It is a policy decision taken by the Municipality and the same cannot be interfered with, by this Court, in the present writ



proceedings.

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3. If any specific complaint is raised by the petitioner, then the respondents are directed to look into the same and initiate remedial measures to maintain cleanliness and hygiene for peaceful living of the residents in that vicinity. The petitioner is at liberty to give a specific complaint, if any.

4. With the above observation, the writ petition stands disposed of. No costs.

nv

(S.M.S.J.) (V.L.N.J.)
27.12.2024

To

1. The District Collector,
Kallakurichi District.
2. The Commissioner,
Kallakurichi Municipality,
Kallakurichi.



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S.M. SUBRAMANIAM,J.

AND

V. LAKSHMINARAYANAN,J.

nv

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