



W.P(MD)No.19878 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.01.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.19878 of 2020

and

W.M.P.(MD)Nos.16570 & 16572 of 2020

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... Petitioner

Vs.

1.The District Collector,
Kanyakumari District,
Nagercoil.

2.The District Fire Officer,
District Fire Office,
Kanyakumari District,
Nagercoil.

3.The Joint Director,
Health Department,
Krishnankovil,
Nagercoil Post,
Kanyakumari District.

4.The Director,
District Pollution Control Board,
Nagercoil,
Kanyakumari District.

5.The Executive Officer,
1st Grade Municipality,
Anjugramam,
Kanyakumari District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 5th respondent in Na.Ka.No.63/2019 dated 10.12.2020 and quash the same and consequently direct the 5th respondent to give approval for running the lathe works at Survey No.742/32B, Sivaramapuram, kanyakumari District based on the petitioner's representation dated 27.08.2020.

For Petitioner : Mr.S.Muniyandi

For Respondents : Mr.V.Nirmal Kumar
Government Advocate for R1 to R3 & R5

: Mrs.Vijayakumar Natarajan
Standing Counsel for R4

ORDER

Heard both sides.

2. The learned Government Advocate appearing for the officinal respondents draws my attention to the order dated 06.07.2021 made in W.A. (MD)No.376 of 2021. The petitioner herein figured as the first respondent in the said writ appeal. Paragraph No.7 of the order reads as follows:-

“7.The learned counsel for the appellant submitted that the learned Writ Court directed the first respondent to apply afresh for grant of licence. Till date, he has not applied. Then, we make it clear that if the first respondent does not apply for licence within the time period of eight weeks from the date of receipt of a copy of this judgment, then the benefit of the order of status quo granted by the Writ Court will not inure in



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favour of the first respondent and the third respondent Town Panchayat is entitled to take action against the first respondent. If the first respondent is found to be lacking in qualification for appropriate licence, then the first respondent should not be permitted to operate lathe workshop.”

3. The executive officer of the local body has also informed the learned Government Advocate that the lathe workshop run by the petitioner herein has since been closed. Nothing survives for further adjudication.

4. The Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

12.01.2024

Index : Yes / No
Internet : Yes/ No
rmi

To

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Kanyakumari District,
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3.The Joint Director,
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4.The Executive Officer,
1st Grade Municipality,
Anjugramam,
Kanyakumari District.

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