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W.P.(MD) No.25521 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.25521 of 2024

and

W.M.P.(MD) No.21649 of 2024

R.V.Rajaram

... Petitioner

-VS-

1.The Commissioner
Madurai Corporation
Arignar Anna Maligai
Madurai

2.The Sanitary Inspector
Ward No.52, Jansirani Park
Nethaji Road
Madurai

3.The Station Fire Officer
Fire and Rescue Service Department
North Chithirai Street
Madurai

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus forbearing the respondents from disturbing petitioner's tender coconut juice business which is carried on in North Chithirai Street.



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For Petitioner : Mr.A.Srinivasan
For Respondents : Mr.K.Manisekaran
Standing Counsel for R1 & R2
Mr.D.Gandhiraj
Special Government Pleader for R3

ORDER

This writ petition has been filed for a mandamus seeking to forbear the respondents from disturbing the petitioner's tender coconut juice business, which is carried on in North Chithirai Street, Madurai.

2. Mr.K.Manisekaran, learned Standing Counsel, accepts notice on behalf of the respondents 1 & 2 and Mr.D.Gandhiraj, learned Special Government Pleader, accepts notice on behalf of the third respondent.

3. Learned Special Government Pleader appearing for the third respondent has received written instructions from the said respondent informing him that the petitioner is obstructing free movement of the fire service vehicles and causing obstructions.



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4. Learned counsel for the petitioner would submit that the petitioner will submit an undertaking to the respondents 2 and 3 that he will not cause any obstruction for free movement of the vehicles belonging to the respondents 2 and 3, provided his right to carry on business of selling tender coconut juice at the place mentioned in this writ petition is not disturbed.

5. Learned Additional Government Pleader appearing for the third respondent has also not raised any serious objection, if such a direction is issued to the respondents.

6. Accordingly, the petitioner is directed to submit an affidavit of undertaking to the respondents 2 and 3 within three days from the date of receipt of a copy of this order that he shall not obstruct free movement of the vehicles belonging to the respondents 2 and 3 in the area where his street vending shop is located and on receipt of the same the respondents are directed not to disturb the petitioner's right to carry on his street vending business, provided he does not cause any obstruction to the free movement of the vehicles belonging to the respondents 2 and 3. However, it is made clear



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that if the petitioner causes any obstruction, the respondents are at liberty to take action against the petitioner in accordance with law.

7. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

25.10.2024

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

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To:
The Station Fire Officer,
Fire and Rescue Service Department,
North Chithirai Street,
Madurai.



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ABDUL QUDDHOSE, J.

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