



W.P.No.13675 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.13675 of 2025
and WMP Nos.15364, 15366 and 15367 of 2025

Moses Chinnadurai

...Petitioner

Vs-

1.The District Collector,
Collectorate,
Chengalpet-603 001.

2. The Municipal Health Officer,
Tambaram Corporation,
Tambaram-600 045.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Certiorari to call for the records culminated in the impugned notice in Na.Ka.No.392/2024/H1 dated 10.02.2025 issued by the 2nd respondent and quash the same as illegal.

For Petitioner : Mr.Srinivas Krishnan

For Respondents : Ms.P.Aishwarya
Government Advocate
For R.1
R.2 – No representation



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ORDER

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Ms.P.Aishwarya, learned Government Advocate takes notice on behalf of the first respondent . With the consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed for issuance of writ of certiorari to call for the records, which culminated in the impugned notice in Na.Ka.No.392/2024/H1, dated 10.02.2025, issued by the 2nd respondent, and quash the same as illegal.

3.The case of the petitioner is that the petitioner is the proprietor/authorised representative of City Chicken and Mutton Centre and he is a licensed meat supplier, having principal place of business at Chennai. The petitioner is having a valid License No.009/2024/05/068/0010891 for the supply of hygienically processed meat products. The petitioner has been engaged in supply of fresh, hygienic and high quality meat to various institutional buyers, including hospitals, canteens, hotels and health establishments for the past seven years and the facility complies with all sanitary and hygiene standards mandated by the Food Safety and Standards



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Authority of India (FSSAI), and all products are inspected regularly by

competent health officers. Although the petitioner has consistently engaged in the supply of fresh, hygienic, and high quality meat, he received a notice on 09.04.2025, at approximately 9.35 a.m, restricting the sale of meat on the occasion of Mahavir Jayanti. The said notice dated 10.02.2025 was served on the petitioner only on 09.04.2025 and stated that the restriction would apply on 11.02.2025, which is clearly erroneous. In reality, the Mahavir Jayanti was on 10.04.2025 and therefore, the notice is both delayed in communication and contains an incorrect date for the observance. The petitioner respects and acknowledges the significance of Mahavir Jayanti and the associated guidelines issued by the local authorities. However, the hospitals, which provide continuous medical care and dietary support to patients, requested the petitioner to facilitate the procurement of meat products for in-patient dietary requirements and therapeutic nutrition under medical supervision. The hospitals operate and cater to patients with specific medical conditions that necessitate a non-vegetarian diet as advised by their clinical nutritionists and treating physicians. Lack of access to prescribed food may adversely affect patients' recovery, immune function and overall health outcomes. The petitioner sent an e-mail on 09.04.2025 to the second



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respondent seeking permission for essential purposes. Since no action has been taken, the petitioner has filed the present writ petition.

4. Learned counsel for the petitioner submits that in the Notice dated 10.02.2025, the date of Mahavir Jayanti was mentioned as 11.02.2025 and the petitioner and other persons, who are indulged in mutton and chicken centres were asked not to open the shop on that date. Learned counsel further submits that Mahavir Jayanti was only on 10.04.2025, whereas, by mistake, it was mentioned as 11.02.2025. In the notice dated 10.02.2025, which was served on the petitioner on 09.04.2025 at 11.30 a.m. Learned counsel further submits that the petitioner is supplying chicken and mutton to various hospitals and army base canteens and therefore, he may be permitted to serve without opening the shop.

5. There is no representation for the second respondent Corporation even though the matter is listed under the caption “for admission” today before this Court.

6. Heard the learned counsel for the petitioner and the learned

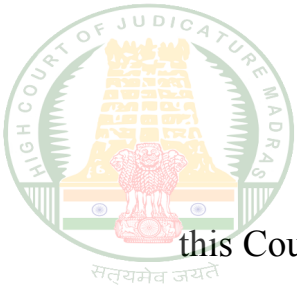


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Government Advocate appearing for the first respondent and perused the materials available on record.

7. In the case on hand, the impugned notice dated 10.02.2025 was issued by the second respondent Corporation to the petitioner by mentioning the date of Mahavir Jayanti as 11.02.2025 and asking the petitioner not to open chicken and mutton shop, whereas, Mahavir Jayanti was only on 10.04.2025. The said notice has been issued in a lethargic and in an irresponsible manner even without verifying the correct date of Mahavir Jayanti. The impugned notice is dated 10.02.2025, but the same was served on the petitioner on 09.04.2025 at 11.30 a.m asking the petitioner not to open the shop. The petitioner is supplying chicken and mutton to army base canteens and various hospitals. He shall supply the same without opening the shop so that the patients who are being treated on the advise of the doctors especially to take non-vegetarian food.

8. The writ petition was filed on 09.04.2025 and the same has become infructuous, but, however, in view of the above submissions made by the learned counsel for the petitioner, the following order is passed by



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this Court:-

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(i) A penalty of a sum of Rs.10,000/-(Rupees Ten Thousand Only) is imposed on the Municipal Health Officer, Tambaram Corporation.

(ii) It is made clear that the said amount has to be paid from the salary of the Health Officer and not by the Corporation.

(iii) The said penalty is imposed on the Officer is for the reason that the notice has been issued in a lethargic and irresponsible manner even without verifying the date of Mahavir Jayanti which has put the petitioner to unnecessary mental agony.

(iv) The Municipal Health Officer, Tambaram Corporation shall pay a sum of Rs.10,000-(Rupees Ten Thousand Only) to the Tamil Nadu State Legal Services Authority, High Court, Chennai within a



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**period of two weeks from the date of receipt of a
copy of this order.**

9. The writ petition is disposed of with the above observations and directions. Consequently, connected miscellaneous petitions are closed.

**10.List the matter on 05.06.2025 under the caption for
“Reporting Compliance”.**

16.04.2025

sr

Index : Yes/No

Speaking/Non Speaking order

To

- 1.The District Collector,
Collectorate,
Chengalpet-603 001.
2. The Municipal Health Officer,
Tambaram Corporation,
Tambaram-600 045.



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J.SATHYA NARAYANA PRASAD, J.

sr

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