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Writ Petition No.39384 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2025

CORAM :

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

Writ Petition No.39384 of 2024

R.Gokulakrishnan

.... Petitioner

-Vs-

1.The Commissioner

Tamparam City Municipal Corporation
West Tamparam, Chennai 600 045.

2.Mr.Arumugam

Proprietor Amsa Chicken Centre
No.34, Dolly Homes First Street
Renganathan Nagar, Selaiyur
Chennai 600 073.

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the 1st respondent immediate sealing and locking of Amsa Chicken Centre, given its operation without a valid license within a residential apartment, by consideration the petitioner's representation dated 16.8.2024.

For Petitioner : Mr.B.Kumarasamy

For Respondents : Mr.T.Seenivasan
Special Government Pleader
for R1



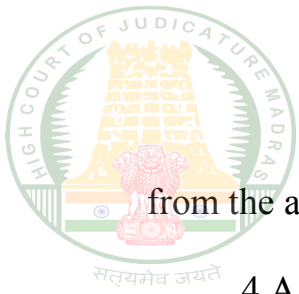
ORDER

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The Writ Petition has been filed in the nature of a Mandamus seeking a direction to the 1st respondent, Commissioner, Tambaram City Municipal Corporation to seal and lock Amsa Chicken Centre, run by the 2nd respondent within the residential apartments where the petitioner resides. The petitioner had given a representation on 16.08.2024.

2.In the affidavit filed in support of the writ petition, it had been stated that the petitioner is one of the residents in an Apartment Complex called Dolly Homes at Selaiyur in Chennai. There are three flats in the first floor and two on second floor. It is stated that one of the owners of one of the Flats is running a chicken shop and according to the petitioner without legal license and in contravention to the Rules and Regulations of the 1st respondent Corporation. The petitioner had listed out the various grievances and difficulties and hazards faced owing to the running of the Chicken shop by the 2nd respondent.

3.Notice had been directed to the 2nd respondent and learned counsel had also entered appearance. It is stated that necessary license had been obtained



Writ Petition No.39384 of 2024

from the appropriate authorities.

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4.A direction is issued that before the next renewal of the license, the 1st respondent must issue notice to the writ petitioner and to every other resident of Dolly Homes Apartments and also to the 2nd respondent and then examine whether the 2nd respondent had confirmed to all required regulations and whether the fact that a commercial business like the one run by the 2nd respondent can be permitted to be continued in the said Apartment Complex and take a considered decision and then pass necessary orders. Such orders to be passed before grant of renewal of license to the 2nd respondent. This exercise by the 1st respondent may be completed within a period of four weeks from the date of receipt of application from the 2nd respondent for renewal of license.

5.The Writ Petition stands disposed of. No costs.

21.01.2025

Index : Yes/No

NCS : Yes/No

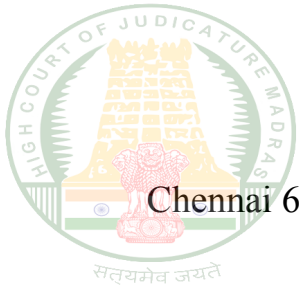
KP

To

The Commissioner

Tambaram City Municipal Corporation

West Tambaram



Chennai 600 045.

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Writ Petition No.39384 of 2024.

C.V.KARTHIKEYAN.,J

KP

Writ Petition No.39384 of 2024

21.01.2025



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Writ Petition No.39384 of 2021.