

W.P.(MD)No.2728 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.01.2025

CORAM

**THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR**

W.P.(MD)No.2728 of 2025

S.Sivapadmaraj

... Petitioner

Vs.

1.The Commissioner,  
Trichy City, Trichy.

2.The Inspector of Police,  
Cantonment Police Station,  
Trichy.

... Respondents

**PRAYER :** Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of Mandamus, directing the second respondent to permit the petitioner to run the petitioner's beverage stall namely "Sri Bombay Badam Milk Stall" at No.13-C/2, Sivaganam Plaza Complex, Williams Road, Trichy City for 24/7 on all days as per the Government order in G.O.Ms.No.61 of Labour Welfare and Skill Development (Ks) dated 02.06.2022 and directing the respondents to consider the petitioner's representation dated 16.01.2025.

For Petitioner : Mr.T.Leninkumar

For Respondents : Mr.E.Antony Sahaya Prabahar  
Additional Public Prosecutor



W.P.(MD)No.2728 of 2025

## **ORDER**

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The petitioner has filed this writ petition seeking a direction to the second respondent to permit the petitioner to run the petitioner's beverage stall namely “Sri Bombay Badam Milk Stall” at No.13-C/2, Sivaganam Plaza Complex, Williams Road, Trichy City for 24/7 on all days as per the Government order in G.O.Ms.No.61 of Labour Welfare and Skill Development (Ks) dated 02.06.2022 and directing the respondents to consider the petitioner's representation dated 16.01.2025.

2.Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor, takes notice for the respondents.

3.By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

4.The petitioner is running a beverage stall, namely “Sri Bombay Badam Milk Stall” in Trichy bus stand. He sought permission for continuing his business for 24/7 as per the Government Order in G.O.Ms.No.61 of Labour Welfare and Skill Development (Ks) dated 02.06.2022. The same is yet to be considered. Hence, the petitioner has filed this petition.



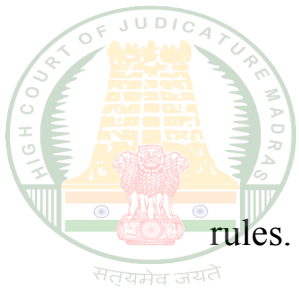
*W.P.(MD)No.2728 of 2025*

5.The learned Additional Public Prosecutor appearing for the respondent police submits that the petitioner's business is a recent one.

He produced the photographs to show that the petitioner has taken only the corner shop abutting the main road and the entire process for preparing the Badam Milk is done in the open place and further, the business is at late hours and causing traffic jam and inconvenience to the public. The vehicles, two wheelers are parked haphazard in the road and displays and seating arrangements are made in the main road. Hence, they have strong obstruction.

6.The learned counsel for the petitioner submits that the petitioner is not creating any obstruction to the traffic or has not encroached any land of the corporation. He is carrying on his business inside the shop and due to the quality of the food and the heavy demand of public, some times, the crowd may get over sized, which is now projected as obstruction to the public.

7.He further submits that the petitioner is ready to give an undertaking to remove the obstruction in the public road and not to cause any inconvenience. He also undertakes to make arrangements for parking of the vehicles and two wheelers and to maintain the traffic



W.P.(MD)No.2728 of 2025

rules. The petitioner also undertakes to abide by the conditions imposed in the Government Order.

8.In view of the above submission, the petitioner is directed to give all his undertakings before the respondent police. On satisfying with the undertakings given by the petitioner and the physical place available in the subject premises, the respondent police shall consider the petitioner's representation and if the request of the petitioner is found to be acceptable, necessary permission can be granted.

9.With the above observation, this Writ Petition is disposed of.

**31.01.2025**

NCC : Yes / No  
Index : Yes / No  
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To

- 1.The Commissioner,  
Trichy City, Trichy.
- 2.The Inspector of Police,  
Cantonment Police Station,  
Trichy.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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*W.P.(MD)No.2728 of 2025*

**M.NIRMAL KUMAR, J.**

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W.P.(MD)No.2728 of 2025

31.01.2025