

W.P(MD)No.19264 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.01.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

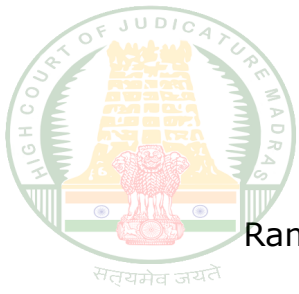
W.P(MD)No.19264 of 2022

T.Kanistan

... Petitioner

Vs

- 1.The Home Secretary,
State of Tamil Nadu,
Secretariat, Fort St. George,
Chennai - 600 009.
- 2.The District Collector,
Collectorate,
Ramanathapuram,
Ramanathapuram District.
- 3.The Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Paramakudi,
Ramanathapuram District.
- 4.The Tahsidar,
Ramanathapuram Tahsildar Office,
9R9M+325, Chalai Bazar,
Ramanathapuram District
- 5.Health Inspector,
Birth and Death Registrar,
Govt Community Health Centre,
Mandapam Town Panchayat,
Mandapam,
Ramanathapuram District.
- 6.The Executive Officer,
Mandapam Town Panchayat,
Mandapam,



W.P(MD)No.19264 of 2022

Ramanathapuram District.

7.The Inspector of Police,
Mandapam Police Station
Mandapam,
Ramanathapuram District.

8.Murugesan

9.Kaniraj

10.Saravanan

... Respondents

*(RR 8 to 10 are impleaded vide order dated
16.09.2022 in W.M.P(MD)No.16184 of 2022)*

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the respondents to consider and pass orders on the representation dated 08.06.2022 directing the respondents to permit the petitioner to carry on the fish catching business and dry the small varieties of fish and sell them in S.F.No.17/1/18/2 as per Patta No.2113 measuring about 2 acres.

For Petitioner : Mr.K.Neelamegam

For RR 1 to 5 & 7 : Mr.D.Gandhi Raj
Special Government Pleader

For R – 6 : Mr.D.Sachikumar

For R – 7 : M/s.M.Aasha
Government Advocate (Crl. Side)

For RR 8 to 10 : Mr.M.Kannan



W.P(MD)No.19264 of 2022

ORDER

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This Writ Petition has been filed by the petitioner for a direction directing the respondents to consider the representation submitted by the petitioner dated 08.06.2022 seeking permission to carry on the fish catching business and dry and sell the same in the land comprised in S.F.No.17/1/18/2 situated at Thoppukadu, Koilvadi Mandalas, Ramanathapuram District.

2.The petitioner owned land comprised in S.F.No. 17/1/18/2 situated at Thoppukadu, Koilvadi Mandalas, Ramanathapuram District and doing business of dry fish. While being so, the petitioner submitted an application seeking permission to carry on the fish catching business and dry and sell the same. The subject land is situated in the residential area and as such, the adjacent residents are objected to the same. Therefore, the petitioner filed a suit in O.S.No.16 of 2019 for injunction as against the respondents 8 to 10 and the same was dismissed by judgment and decree dated 01.04.2024.

3.On instructions, the learned counsel appearing for the sixth respondent would submit that there are objections by the



W.P(MD)No.19264 of 2022

neighbours and as such, the application submitted by the petitioner seeking permission cannot be considered. In view of the above, this Writ Petition is devoid of merits and it is liable to be dismissed. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs.

28.01.2025

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

To

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W.P(MD)No.19264 of 2022

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5. Health Inspector,
Birth and Death Registrar,
Govt Community Health Centre,
Mandapam Town Panchayat,
Mandapam,
Ramanathapuram District.

6. The Executive Officer,
Mandapam Town Panchayat,
Mandapam,
Ramanathapuram District.

7. The Inspector of Police,
Mandapam Police Station
Mandapam,
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W.P(MD)No.19264 of 2022

G.K.ILANTHIRAIYAN, J.

ps

Order made in
W.P(MD)No.19264 of 2022

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