

W.P(MD)No.19288 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.07.2025

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD)No.19288 of 2025

and

W.M.P(MD)Nos.14805 and 14806 of 2025

K.Muthukumar

... Petitioner

Vs.

The Executive Officer,
Aralvoimozhi Town Panchayat,
Kanyakumari District.

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records pertaining to the impugned Notice issued by the respondent in Na.Ka.No.374/2025/A2 dated 27.06.2025 and quash the same as illegal, arbitrary, unconstitutional and unsustainable.

For Petitioner : Mr.T.Selvan

For Respondent : Mr.B.Ramanathan
Additional Government Pleader



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ORDER

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The petitioner challenges the impugned communication issued by the respondent directing the petitioner to remove the poultry farm/shop run by the petitioner in his house, based on the complaint received by the respondent from the neighbours.

2. The petitioner admits that he has neither obtained any premission from the respondent before starting the aforesaid business nor has obtained any licence under the Food Safety and Standards Act, 2006.

3. The learned Additional Government Pleader for the respondent submits that the presence of the farm is causing nuisance to the neighbours and therefore, in view of the complaints received from the neighbours, the respondent had issued the impugned communication.

4. The learned counsel for the petitioner would submit that the central Government is promoting rearing of poultry under the Mahatma Gandhi National Rural Employment Scheme and that the petitioner does not require any further license or permission .



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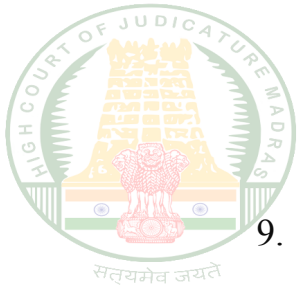
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5. I have considered the arguments advanced by the learned counsel for the petitioner and the learned Additional Government Pleader for the respondent.

6. *Prima facie*, the continuation of the business by the petitioner appears to be contrary to the guidelines that may have been issued for doing business in a residential area.

7. Be that as it may, since the petitioner may deserve to continue the business, the petitioner may submit an application to the respondent, who shall consider the same and grant licence, if the petitioner is otherwise entitled to run poultry farm at his residence for business.

8. Accordingly, the petitioner is directed to file an appropriate application before the respondent within a period of 15 days from the date of receipt of a copy of this order. The respondent shall consider the same and pass appropriate orders within a period of 15 days thereafter.



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9. It is made clear that if any adverse order is passed against the petitioner, the petitioner top the poultry business forthwith.

10. The writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

17.07.2025

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

The Executive Officer,
Aralvoimozhi Town Panchayat,
Kanyakumari District.



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C.SARAVANAN, J.

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