



W.P(MD)No.7417 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 27.11.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.7417 of 2018

Nagarajan

.. Petitioner

Vs

1.The District Collector,
Sivagangai District, Sivagangai.

2.The Block Development Officer,
Kalaiyarkovil Union,
Sivagangai District.

3.The Health Inspector,
Kalaiyarkovil Union,
Sivagangai District.

4.The Sub-Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the third and fourth respondents forthwith to remove the unauthorized temporary fish retail shops situated at T.B.Bungalow, Bus Stand, Panchayat Union Office, Primary School



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West, Police Station Bus Stop in Kalaiyarkovil, Sivagangai District, thereby implementing the order of the second respondent dated 07.02.2018 within a time as may be fixed by this Court.

For Petitioner : Mr.V.Sasikumar

For Respondents : Mr.D.Sasikumar (for R1 to R3)
Additional Government Pleader
Mr.S.Prakash (for R4)
Government Advocate (crl.side)

ORDER

This writ petition has been filed seeking Mandamus to direct the third and fourth respondents forthwith to remove the unauthorized temporary fish retail shops situated at T.B.Bungalow, Bus Stand, Panchayat Union Office, Primary School West, Police Station Bus Stop in Kalaiyarkovil, Sivagangai District, thereby implementing the order of the second respondent dated 07.02.2018 within a time as may be fixed by this Court.

2. It is the case of the petitioner that he has been a fish vendor by profession in Kalaiyarkovil for the past 15 years and is also serving as the Vice President of 'Kalaiyarkovil Vattara Anaithu Meen Virpanaiyalargal Nala Sangam'. There are about 25 fish vendors in his town. They used to purchase fish from the nearby coastal town Thondi and sell the same at Kalaiyarkovil, for which, they had put up temporary shops at various places in Kalaiyarkovil.



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Under this circumstances, the respondents advised and directed them to shift their business at the outskirts of Kalaiyarkovil town, as the functioning of fish shops within residential area had caused unhygienic conditions. Accordingly, the second respondent allotted a place namely ALR Street, Malahatti Kadai situated at outskirts of Kalayarkovil, for selling the fish. Since then, all the fish vendors belonging to the petitioner's society have shifted their shops in the said place.

3. While that being so, some unknown persons from neighborhood villagers have put up temporary shops within the residential area at Kalaiyarkovil town and are selling fish every day without maintaining the locality in a proper manner. Hence, the petitioner's society approached the respondents and requested them not to permit such persons to vend fish within the residential area of Kalaiyarkovil town. Pursuant to this, the second respondent vide order dated 07.02.2018 directed the third and fourth respondents to prevent unauthorised fish vendors from putting up unauthorized temporary shops within the residential area and to take necessary action in accordance with law. The petitioner's society also submitted a representation in person on 03.03.2018 to the respondents 1 and 3 requesting that appropriate action be taken on their grievance and that the order passed by the second



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respondent on 07.02.2018 be implemented. However, to date, no steps were taken, which constrained the petitioner to file the above petition.

4. The learned Additional Government Pleader submits that the representation of the petitioner shall be considered.

5. Considering the facts and circumstances of the case, this Court directs the second respondent to consider the petitioner's representation dated 03.03.2018 and pass appropriate orders thereon, ensuring that unauthorized shops are not put up in the area mentioned in the petition, within a period of one month from the date of receipt of a copy of this order.

6. Accordingly, this Writ Petition is allowed. No costs

27.11.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes
Rmk

(2/2)



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P.T.ASHA, J.

Rmk

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