



W.P(MD)No.23654 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.09.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.23654 of 2025

K.Pandi

..Petitioner

Vs

1.The General Manager,
Virudhunagar District Cooperative Milk Producers,
Madurai Road,
Virudhunagar.

2.The Divisional Engineer (Highways),
Highways Department,
Virudhunagar.

..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 first respondent to issue licence for running a Avin Parlor (Kisok Agent) for selling milk and milk products in sengamalchiyarpuram, Tiruthangal Virudhunagar District based on the representation dated 14.08.2025 by considering the light of the order in W.P(MD)No.30596 of 2024 dated 18.12.2024.



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For Petitioner : Mr.A.S.Vaigunth

For Respondents : Mr.K.Prabhu (for R1)

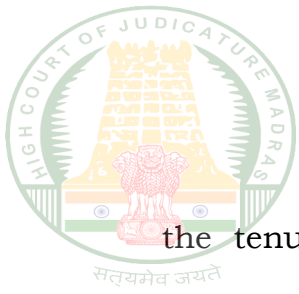
Mr.D.Sasikumar
Addl. Govt. Pleader (for R2)

ORDER

The petitioner seeks a direction to the first respondent to issue a licence for running an Aavin Parlour (Kiosk Agent) for selling milk and milk products at Sengamalchiyarpuram, Tiruthangal, Virudhunagar District, based on the representation dated 14.08.2025, in light of the order passed in W.P.(MD) No.30596 of 2024 dated 18.12.2024.

2. Mr.K.Prabhu, learned Standing Counsel takes notice for the first respondent and Mr.D.Sasikumar, learned Additional Government Pleader, takes notice for the second respondent. By consent, this writ petition is taken up for final disposal at the stage of admission itself.

3. The petitioner was granted a licence as a Kiosk Agent for selling milk and milk products in the aforesaid area for the period from 27.01.2021 to 26.01.2022, vide proceedings of the first respondent dated 27.01.2021. He has been carrying on the sale of milk and milk products. Subsequently, on 08.04.2022, the second respondent passed a temporary order extending

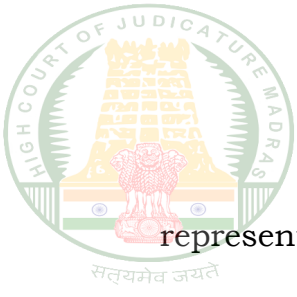


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the tenure based on the recommendation of the first respondent, vide proceedings dated 08.04.2022. While so, on 15.10.2024, the first respondent cancelled the petitioner's licence. Immediately thereafter, the petitioner approached this Court by filing W.P.(MD)No.30596 of 2024. In the said writ petition, the learned counsel for the respondents submitted that the kiosk shop was situated on a water body. Relying upon the said submission, the writ petition came to be dismissed, and the petitioner was directed to identify an alternative location for running his kiosk until the disposal of the representation to be made by him before the first respondent. Subsequently, it transpired that the shop in S.No.910 is not a water body but a road, which fact is reflected in the 'A' Register. Therefore, the submission made by the respondents' counsel in W.P.(MD)No.30596 of 2024 was incorrect. In view of the same, the petitioner submitted a detailed representation on 14.08.2025 before the respondents. Since the said representation has not been considered, the petitioner has once again approached this Court.

4. The learned standing counsel appearing for the first respondent would submit that the representation of the petitioner will be considered in accordance with law.

5. In view of the above, without expressing any opinion on the merits of the matter, the first respondent is directed to consider the petitioner's



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representation dated 14.08.2025 and pass final orders on its own merits, within a period of three weeks from the date of receipt of a copy of this order, after affording reasonable opportunity to the petitioner. It is needless to state that if the construction is found to be on the road, as evidenced from the 'A' Register, the second respondent shall be at liberty to remove the same, after issuing notice to the petitioner.

6. Accordingly, this Writ Petition is disposed of. No costs.

01.09.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
skn

To

1.The General Manager,
Virudhunagar District Cooperative Milk Producers,
Madurai Road,
Virudhunagar.

2.The Divisional Engineer (Highways),
Highways Department,
Virudhunagar.



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P.T.ASHA, J.

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