

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.02.2015

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THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.21850/2014 & MP.No.1/2014

J.Vincent

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Petitioner

Versus

1.The Member Secretary
Chennai Metropolitan Development
Authority, No.1, Gandhi Irwin Road,
Egmore, Chennai 600 008.

2.The Chief Administrative Officer
Market Management Committee
Koyembedu Wholesale Market Complex
Chennai.

3.Mr.S.Srinivasan

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Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 1st respondent to dispose of the appeal filed by the petitioner dated 11.08.2014 u/s.21[5] of the Tamil Nadu Specified Commodities [Regulation and Location] Act and under Rule 4 of the Act, on 11.08.2014 against the proceedings in letter NO.MMC/A1/430/2007 dated 30.07.2014 issued to the 2nd respondent within the time frame as may be fixed by this Court.

For Petitioner : Mr.M.Kempuraj

For R3 : Mr.S.Sethuraman

For R1 : Mr.A.Kumar

ORDER

Heard Mr.M.Kempuraj, learned counsel appearing for the petitioner ; Mr. A.Kumar, learned counsel appearing for the 1st respondent and Mr.S.Sethuraman, learned counsel appearing for the 3rd respondent and perused the materials available on record.

2.The petitioner has filed an appeal on 11.08.2014 under section 21[5] of the Tamilnadu Specified Commodities [Regulation and Location] Act 1996 as against the order passed by the Chief Administrative Officer [Incharge], Management Committee, Koyambedu Wholesale Market Complex, dated 30.07.2014. By the said order, the 2nd respondent has rejected the petitioner's request for registration Certificate in his name, stating that the 3rd respondent was allotted the shop by the CMDA by the order dated 28.11.2006. The statutory appeal filed by the petitioner is pending before the 1st respondent.

3.In the light of the above, without going into the merits of the petitioner's claim, there will be direction to the 1st respondent to consider the petitioner's appeal dated 11.08.2014 on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner as well as to the 3rd respondent and pass orders within a period of three weeks from the date of receipt of a copy of this order.

4.The writ petition is disposed of with the above directions. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (AD I)

/true copy/

Sub Asst. Registrar

AP

To

1.The Member Secretary
Chennai Metropolitan Development
Authority, No.1, Gandhi Irwin Road,
Egmore, Chennai 600 008.

2.The Chief Administrative Officer
Market Management Committee
Koyambedu Wholesale Market Complex
Chennai.

2 ccs to Mr.Kempuraj Advocate, sr. 6815

1 cc to Mr.S. Sethuraman, Advocate, Sr. 7045

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VGI (CO)

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