

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 14.05.2015

CORAM

THE HON'BLE MR. JUSTICE R.SUBBIAH

W.P.No.14584 of 2015
and M.P.No.1 of 2015

S.Varadharajan

.. Petitioner

Versus

1 Corporation of Chennai
rep. by its Commissioner Rippon Building
Chennai 600 0003.

2 Corporation of Chennai
rep. by its Revenue Officer Zone-12
Alandur Chennai-16.

3 N.Sundaram.

.. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the 1st and 2nd respondent to consider the application for license submitted by the petitioner dated 20/02/2015 pertaining to business premises at No.26/19, Thillai Ganga Nagar, 3rd Main Road, Nanganallur, Chennai - 61 in the name and style of M/s. Hotel Sri Sai Poorani rep. by its proprietor Mr.S.Varadharajan.

For Petitioner : Mr.T.Ramachandran

For Respondents : Mr.V.C.Selvasekaran (For R1 and R2)
Standing counsel for Chennai Corpn.

ORDER

Mr.V.C.Selvasekaran, learned standing counsel takes notice for the respondents 1 and 2 and by consent of learned counsel on either side, the writ petition is taken up for final disposal.

2. The present writ petition has been filed for a mandamus, directing the 1st and 2nd respondents to consider the petitioner's application for license dated 20.02.2015, pertaining to his business premises at No.26/19, Thillai Ganga Nagar, 3rd Main Road, Nanganallur, Chennai - 61, in the name and style of M/s. Hotel Sri Sai Poorani.

3. In the affidavit, the petitioner has stated that he was inducted as a tenant way back in the year 2006 and from then onwards, he is carrying on hotel business in the name and style of "Hotel Sri Sai Poorani" at No.19, Thillai Ganga Nagar, 3rd Main Road, Nanganallur, Chennai, measuring an extent of 400 sq.ft. The petitioner has also obtained trade licence in the name and style of "Hotel Sri Sai Poorani" and the said licence was issued by the 2nd respondent on 06.06.2014. Subsequently, the petitioner has filed an application for renewal of licence on 20.02.2015 to the 2nd respondent. Whiles, the 3rd respondent, who is the owner of the premises demanded the petitioner to vacate the premises. Since his representation dated 20.02.2015 was not considered, he has come forward with the present writ petition.

4. In view of the nature of the relief sought for in this writ petition, this Court is of the view that no notice be issued to the 3rd respondent and this Court, considering the averments made in the affidavit

and the submissions made and without going into the merits of the contentions raised in the representation, directs the respondents 1 and 2, to consider the petitioner's representation dated 20.02.2015, 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 appropriate orders, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. No Costs. Consequently, the connected Miscellaneous petition is closed.

14.05.2015

Index:Yes/No
Internet:Yes/No

va/ars

R.SUBBIAH, J.,

va/ars

To

- 1 The Commissioner,
Corporation of Chennai
Rippon Building
Chennai 600 0003.
- 2 The Revenue Officer, Zone-12
Corporation of Chennai
Alandur Chennai-16.

W.P.No.14584 of 2015

14.05.2015