

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.06.2015

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.16486 of 2015 &
M.P.No.1 of 2015

S.Senthil Kumar

...Petitioner

Versus

1. The Chief Administrative Officer,
Market Management Committee,
Koyambedu Wholesale Market Complex,
Koyambedu, Chennai-92.

2. R.Uma Maheshwari

.. Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to impugned order in letter No.MMC/A1/2336/2009 dated 11.05.2015 from the file of the 1st respondent and quash the same, consequently, direct the respondents to permit the petitioner to do the business in the shop No.T/F-119 in Fruit Market, Koyambedu, Wholesale Market Complex, Chennai.

For Petitioner : Mr.P.Ganapathy

For 1st Respondent : Mr.P.Tamilmani

O R D E R

The Writ Petition has been filed to quash the impugned order of the 1st respondent dated 11.05.2015 and for consequential relief.

2. The learned Counsel for the petitioner would submit that the petitioner has been running the Fruit Sale Business in Shop No.T/F-119, Koyambedu Market from 2013 onwards which belongs to the 1st respondent. While so, on 29.01.2015, the 1st respondent sealed the shop with fruits and other materials inside the shop on the ground that the petitioner is running the shop without valid licence. In this regard, the petitioner made a representation dated 03.02.2015 to the 1st respondent to remove the lock and seal as well as seeking a trade licence. Since there was no reply, the petitioner filed W.P.No.9487 of 2015 and the same was disposed of by this Court by an order dated 07.04.2015, directing the 1st respondent to dispose of the petitioner's representation dated 03.02.2015, within four weeks from the date of receipt of a copy of that order. The learned Counsel would further submit that thereafter, the representation of the petitioner dated 11.05.2015 was rejected by the 1st respondent stating that the shop-in-question is allotted to

the 2nd respondent. Hence, the request of the petitioner to remove the lock and seal made by the Market Management Committee and to issue trade licence to do the business in Shop No.T/F-119 in Fruit Market, Koyambedu Wholesale Market Complex by collecting necessary charges cannot be complied with. Aggrieved over the same, the petitioner is before this Court with this Writ Petition.

3. When the request of the petitioner was rejected by the 1st respondent, he cannot once again approach this Court by filing yet another writ petition of the same nature impleading Uma Maheswari, to whom Shop No.T/F-119 in Fruit Market, Koyambedu Wholesale Market Complx has been allotted. That apart, the petitioner is not an allottee, hence, he cannot maintain this Writ Petition.

4. In the result, the Writ Petition fails and the same is accordingly dismissed. Though this Court is of the view that heavy cost should be imposed on the petitioner for suppression of material facts, this Court still restrained from doing so. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

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To

The Chief Administrative Officer,
Market Management Committee,
Koyambedu Wholesale Market Complex,
Koyambedu, Chennai-92.

1 cc to Mr.P.Ganapathy, Advocate, Sr. 29063
1 cc to Mr.P.Tamilmani, Advocate, sr. 28293

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