

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.2.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.NO.10476 OF 2009

B. Ramadoss

..Petitioner

Vs

1. The State of Tamilnadu,
represented by its Secretary,
Department of Housing and Urban Development,
Fort St. George,
Chennai 600 009.
2. The Member Secretary,
Chennai - Irwin Salai,
Egmore, Chennai 600 008.
3. The Chief Executive Officer,
Chennai Metropolitan Development Authority,
No.1, Gandhi-Irwin Salai,
Egmore, Chennai 600 008.
4. CMDA Koyambedu Market Spinach/green leaves,
Whole Sale Upliftment Association,
represented by its Secretary,
V.Govindaraju, No.1, -10,
Periyar Kaikari Angadi, Koyambedu,
Chennai-92.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the respondents not to convert the pathway/public utility veranda situated in H, I, J, K, L, M and N Block in Koyambedu Vegetable Market in Koyambedu, Chennai-92 into shops and allot the same to any one .

For Petitioner: Mr.U. Karunakaran

For Respondents: Mr.R. Vijayakumar

Addl. Govt. Pleader for R1

Mr. A. Kumar

Spl. Govt. Pleader (R2 and R3)

Mr. M.R. Jothimanian (R4)

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader for 1st respondent and learned Special Government Pleader appearing for Respondents 2 and 3 and the learned counsel for 4th respondent.

2. The petitioner has filed this writ petition seeking for a direction directing the respondents not to convert the pathway/public utility veranda situated in H, I, J, K, L, M and N Block in Koyambedu Vegetable Market in Koyambedu, Chennai-92 into shops and allot the same to any one .

3. It is pointed out by the learned counsel for the respondents that when a notification was issued by the CMDA calling for tenders for allotting the space in the pathway for converting the same in to shops, challenge was made before this Court by way of filing Writ Petitions in W.P.No.19433 of 2005 etc., batch and the same were dismissed by order dated 13.10.2008.

4. Aggrieved by the said order, Writ Appeal was filed in W.A.No.1183 of 2008 and the same was dismissed by the Honourable First Bench of this Court by order dated 8.4.2009, against which, Special Leave Petition was preferred before the Honourable Supreme Court and the same is also said to have been dismissed by the Honourable Apex Court.

5. In the light of the above, no relief as sought in the writ petition can be granted. Therefore , this writ petition is dismissed. No costs. Consequently, M.P.No.1 of 2009 is closed.

Sd/-
Assistant Registrar

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

msr

To

1. The Secretary,
Department of Housing and Urban Development,
Fort St. George,
Chennai 600 009.

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2. The Member Secretary,
Chennai - Irwin Salai,
Egmore, Chennai 600 008.

3. The Chief Executive Officer,
Chennai Metropolitan Development Authority,
No.1, Gandhi-Irwin Salai,
Egmore, Chennai 600 008.

+ 1 cc to Mr.M.r. Jothimanian, Advocate SR.8117
+ 1 cc to Mr.A. Kumar, Advocate SR.8196

GGK(CO)
EU 24.03.2015

W.P.NO.10476 OF 2009



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