

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 07.04.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.9487 of 2015

S.Senthil Kumar

...Petitioner

Versus

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

...Respondent

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the respondent to consider and pass an appropriate order on the representation dated 03.02.2015 made by the petitioner for issue of fresh license to the petitioner in Shop No.T/F-119 S.K.International Traders, Anna Wholesale Fruit Market Complex, Koyambedu, Chennai-92.

For Petitioner : Mr.P.Ganapathy

For Respondent : Mr.M.Velmurugan

O R D E R

By consent, the main writ petition itself is taken up for final disposal.

2. The learned counsel appearing for the petitioner on instructions, would submit that the petitioner is not the original allottee and on account of an understanding with the original allottee, he was running the business of selling fruits in Shop No.T/F-119 S.K.International Traders, Anna Wholesale Fruit Market Complex, Koyambedu, which belongs to the respondent.

3. It is the further submission of the learned counsel for the petitioner that the respondent herein has put up lock and seal on the said shop and aggrieved by the same, he has filed a writ petition in W.P.No.2878 of 2015 on the file of this Court, praying

for an issuance of writ of mandamus, directing the respondent to remove the seal put up on the shop and issue a fresh license to him on collection of charges and grant such other relief. This Court has taken into consideration, the suit filed for somewhat identical relief in O.S.No.5598 of 2014, which is pending adjudication, has declined the prayer and dismissed the writ petition, granting liberty to the petitioner to pursue his remedy before the Civil Court, vide order dated 23.02.2015.

4. The petitioner thereafter, submitted a representation dated 03.02.2015 in person to the respondent stating among other things, that on account of family circumstances, he may be permitted to open and run the shop once again and since the said representation has not been disposed of, came forward to file this writ petition.

5. This Court, taking into consideration the limited scope of the prayer sought for by the petitioner and without going into the merits of the representation, directs the respondent to consider and dispose of the petitioner's representation dated 03.02.2015, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order and communicate the decision to the petitioner as well as to the original allottee.

6. The writ petition is disposed of, accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ars/gya

To

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

1 CC to Mr.P.Ganapathy, Advocate, SR.No. 19143

W.P.No.9487 of 2015

SV (CO)
PSI (16.04.2015)