

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:25.11.2015

C O R A M

THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM

W.P.No.23062 of 2002

Tamil Selvan

...Petitioner

Vs.

1. The Commissioner,
Corporation of Chennai,
Ripon Buildings,
Park Town, Chennai-3.
2. Assistant Health Officer,
Zone - V
Corporation of Chennai,
Poonamallee High Road,
Chennai - 600

010.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari calling for the records of the first respondent, quash the order passed by the respondents under Sec.379-A of the VC.C.M.C Act dated 23.05.2002.

For Petitioner : Mr.R.Raman Laal
For RR1& RR2 : Mr.P.V.Selvakumar

सत्यमेव जयते
O R D E R

By consent of the learned counsel on either side, the writ petitions are taken up for final disposal.

2. Heard Mr.R.Raman Laal, learned Counsel appearing for the petitioners and Mr.P.V.Selvakumar learned counsel for the respondents.

3.The petitioner has filed this Writ Petition challenging the notice issued by the respondent Corporation dated 23.5.2002 under section 379-A of the Chennai City Municipal Corporation Act, stating that the petitioner is running grinding of plastic material using 15 HP without licence.

4.Though the Writ Petition was admitted on 28.6.2002, no interim order was granted. Thus, by efflux of time, nothing further survives for adjudication in the present proceedings and further more, though the respondents have been served, no counter affidavit has been filed.

5.Hence, the Writ Petition is allowed and the impugned order is quashed. However, it is open to the respondents to initiate fresh action, if there is still any violation. No costs.
rpa

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The Commissioner,
Corporation of Chennai,
Ripon Buildings,
Park Town, Chennai-3.

2. Assistant Health Officer,
Zone - V
Corporation of Chennai,
Poonamallee High Road,
Chennai - 600 010.

+ 1 cc to Mr.P.V.Selvakumar, Advocate SR 63973

+ 1 cc to M/s.R.Ramanlal, Advocate SR 64514

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सत्यमेव जयते

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