

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03-02-2015

CORAM

THE HONOURABLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
WRIT PETITION No.36900 of 2006

Madley Road Civic Exnora
represented by its Honorary Secretary
M.M.Abdul Khader
No.A-1, Ansari Flats
No.39, Madley Road
T.Nagar, Chennai 600 017 .. Petitioner

vs

- 1.The State of Tamil Nadu
Rep. By the Chief Secretary
Government of Tamil Nadu
Fort St. George, Chennai 600 009
- 2.The Commissioner of Police
Greater Chennai
Egmore, Chennai 600 008
- 3.The Commissioner
Corporation of Chennai
Rippon Buildings, Chennai 600 003
- 4.The Collector of Chennai
Chennai Collectorate
Chennai 600 001
- 5.D.Krishnan
- 6.C.Kamalakannan
- 7.N.Jayaraman
- 8.M.Vridhambal
- 9.N.Ganesan
- 10.G.Mani
- 11.K.Kantha
- 12.T.Manikkam
- 13.P.Latha
- 14.G.Neelambal
- 15.D.Chellammal
- 16.M.Sambanda Mudali
- 17.S.Vadivu

(RR5 to 17 impleaded as per
order dated 16.11.2006 in
MP No.1/2006)

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to maintain the Madley Subway service roads on both the Northern and Southern sides along with the U-Turn facility on the Eastern Side i.e., on the T.Nagar4 side as a NO VENDING, NO PARKING AND TOW AREA in order to have a free flow of pedestrians and vehicular traffic and consequently to ban the functioning of the wholesale perishable market in the subject area as per the Tamil Nadu Specified Commodities Markets (Regulation of Location) Act, 1996 (Act 24 of 1996) and further directing the respondents to deal with the offenders effectively in accordance with law.

For Petitioner : Mr.J.Ashok
For Respondents : Mr.S.T.S.Moorthy
Government Pleader
for RR1, 2 and 4

Mr.K.Soundararajan for R3

No appearance for RR5 to 17

ORDER

(Order of the Court was made by THE HON'BLE CHIEF JUSTICE)

Learned Counsel for petitioner submits that if final directions are made in terms of the interim directions passed on 16.11.2006, that would meet the requirements except that there is also a wholesale perishable fruit and vegetable market functioning, for which necessary action is required to be taken by the Corporation/third respondent.

2.We, thus, dispose of the writ petition in terms of the directions passed on 16.11.2006, with a further direction to the third respondent/Corporation to look into the ground realities qua the said market of perishable goods, and take a final view, after notice to all concerned, within a maximum period of three months from the date of communication of the order. No costs.

Sd/-

Deputy Registrar (Judicial)

/true copy/

Sub Asst. Registrar

nsv

To:

- 1.The Chief Secretary
Government of Tamil Nadu
Fort St. George, Chennai 600 009
- 2.The Commissioner of Police
Greater Chennai
Egmore, Chennai 600 008
- 3.The Commissioner
Corporation of Chennai
Rippon Buildings, Chennai 600 003
- 4.The Collector of Chennai
Chennai Collectorate
Chennai 600 001

- 1 cc to Mr.K. Sundararajan, Advocate sr. 6197
1 cc to Mr.J. Ashok Advocate, sr. 5473
1 cc to Government Pleader, sr. 5486

W.P.No.36900 of 2006

SSI (CO)
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