

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:06.09.2016

CORAM

THE HON'BLE MR.JUSTICE N.KIRUBAKARAN

W.P.No.31019 of 2016

M/s.Surabi Bio-Resurgence Pvt. Ltd.

[Petitioner]

Rep. by its Managing Director

Shri.S.S.Redhakrishnan

No.17 Customs Colony

(First Cross Street) 4th Avenue

Besant Nagar Chennai-90. Vs

1 The Commissioner
Greater Chennai Corporation Rippon Building
Chennai-600 003.

2 The Revenue Officer
Revenue Department Corporation of Chennai
Rippon Building Chennai-600 003.

3 The Zonal Officer
Zone XII (Adyar) No.115
Dr.Muthulakshmi Salai
Adyar Chennai-600 020.

[Respondents]

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the 1st respondent to correct the Trade Licence bearing Licence Code 13-176-001196/2015-16 dated 10.10.2015 issued to the petitioner company mentioning the nature of trade as sale of kitchen garden materials.

For Petitioner : Mr.G.Derrick Sam

For Respondents : Mr.P.V.Selvakumar,
Standing Counsel

ORDER

Heard the learned counsel for the petitioner and Mr.P.V.Selvakumar, learned Standing Counsel who took notice for the respondents and with their consent, the main writ petition itself is taken up for disposal.

2. This writ petition is filed for the issuance of a writ of mandamus directing the 1st respondent to correct the Trade Licence bearing Licence Code 13-176-001196/2015-16 dated 10.10.2015, issued to the petitioner company mentioning the nature of trade as sale of kitchen garden materials.

3. The petitioner Company applied for trade licence with the 3rd respondent for selling Kitchen Garden Materials like grow bags, organic manures, saplings, pesticides etc. The 3rd respondent, Inspector, visited and verified the nature of the petitioner's trade activity before issuing licence. However, when the licence was issued on 10.10.2015, the trade activity was mentioned as "Vegetable and Fruit Sales". Since the petitioner Company is not selling vegetables and fruits and they are selling only Kitchen Garden Materials, the petitioner has sought for correction in the licence through a communication dated 15.10.2015. Since there was no response, the petitioner sent another representation on 25.05.2016. So far, the respondents have neither corrected the trade activity of the petitioner Company in the licence already given nor given any response to the petitioner's representations, which compelled them to come before this Court.

4. It is evident from the perusal of the typed set of papers that the petitioner has got a licence on 10.10.2015, in which, the trade has been described as "Vegetable and Fruit Sales". Since the petitioner is not dealing with the Vegetable and Fruit Sales and they are dealing only with Kitchen Garden Materials, the petitioner Company, has sought for correction in the trade licence through a communication dated 15.10.2015 and also by a reminder dated 25.05.2016. The respondents have not yet disposed of the representations sent by the petitioner till date.

5. In view of the same, the respondents are directed to consider and pass orders on the aforesaid petitioner's representations on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.

The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

- 1 The Commissioner
Greater Chennai Corporation Rippon Building
Chennai-600 003.
- 2 The Revenue Officer
Revenue Department Corporation of Chennai
Rippon Building Chennai-600 003.
- 3 The Zonal Officer
Zone XII (Adyar) No.115
Dr.Muthulakshmi Salai
Adyar Chennai-600 020.

- 1 cc to Mr.Hari Radhakrishnan, Advocate, sr.506681
1 cc to Mr.P.V.Selvakumar, Advocate, sr.50288

W.P.No.31019 of 2016

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