

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2017

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.3074 of 2017

Archana Hotel
Rep. by its Proprietor,
Basanta Kumar Kar
Having its hotel No.36/1
Model School Road, Thousand Lights
Chennai 600 009.

... Petitioner

Vs.

1. The Commissioner
Corporation of Chennai
Rippon Building
Chennai 600 003.
2. The Revenue Officer
Revenue Department
Corporation of Chennai
Rippon Building
Chennai 600 003.
3. The Assistant Commissioner
Zonal Office IX
Corporation of Chennai
Rippon Building, Chennai 600 003.
4. The Assistant Revenue Officer
Zonal Office IX
Corporation of Chennai
No.1, Lake Area
4th Cross Street, Nungambakkam
Chennai 600 034.
5. The Additional Commissioner of Police (Traffic)
Greater Chennai Police
Vepery, Chennai 600 007.

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India
seeking issuance of a writ of Mandamus directing the respondents

to dispose the petitioner's application dated 21.07.2016 afresh within a stipulated time.

For Petitioner : Mr.A.Jenasenan

For Respondents : Mr.A.Nagarajan
for respondents 1 to 4

Mr.T.N.Rajagopalan
Special Government Pleader
for 5th respondent

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

The Additional Commissioner of Police (Traffic)/fifth respondent did not recommend the grant of No Objection Certificate from the traffic point of view for the petitioner to run Archana Hotel at No.36/1, Model School Road, Thousand Lights, Chennai, since the petitioner did not provide sufficient parking space.

2. The petitioner now states that he has leased the parking space in January, 2017 vide rental agreement dated 27.1.2017 and on the same day, the petitioner replied to the notice of the Corporation of Chennai/first respondent, who is stated to have not forwarded the case for the opinion of the fifth respondent till date.

3. On hearing learned counsel for parties, we direct that in case the first respondent finds the application of the petitioner otherwise in order and the only impediment is lack of parking space, then it may forward the case to the fifth respondent within one week of the receipt of the order for due verification, who would in turn give the report to the Corporation.

4. We make it clear that we are not commenting on the merits of the application of the petitioner in any manner whatsoever.

The petition, accordingly, stands disposed of. No costs. Consequently, W.M.P.No.2996 of 2017 is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To:

1. The Commissioner
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Chennai 600 003.
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5. The Additional Commissioner of Police (Traffic)
Greater Chennai Police
Vepery, Chennai 600 007.

+1cc to Mr.A.Nagarajan, Advocate, S.R.No.8302
+1cc to Mr.A.Jenasenan, Advocate, S.R.No.8129
+1cc to the Government Pleader, S.R.No.8044

W.P.No.3074 of 2017

UG(CO)
CA(15/02/2017)

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