

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2017

CORAM

THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.4367 of 2017

C.Chandrasekar ... Petitioner

Vs.

1. The Member Secretary
Chennai Metropolitan
Development Authority
Egmore, Chennai- 600 008.
2. The Chief Executive Officer
Chennai Metropolitan
Development Authority
Egmore, Chennai- 600 008.
3. The Chief Administrative Officer
Market Management Committee
Koyambedu Whole sale Market Complex
Koyambedu, Chennai-92. ... Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the 3rd respondent to dispose of petitioner's representation dated 16.05.2011 and subsequent reminders and last reminder dated 22.11.2016 and further direct the respondents to remove the unauthorised encroachments and the persons who are running business in unauthorised places (i.e) in truck bay and roads in "K1" Block of the Periyar Vegetable Market, Koyambedu, Chennai.

For Petitioner

: Mr.K.C.Gandhi

For Respondents

: Mr.Raja Srinivas
for respondents 1 and 2

Mr.M.Velmurugan
for 3rd respondent

ORDER

(Order of the Court was made by the Acting Chief Justice)

Mr.Raja Srinivas, learned counsel takes notice for respondents 1 and 2 and Mr.M.Velmurugan, learned counsel takes notice for the third respondent.

2. Heard the learned counsel for the parties.

3. The petitioner is the owner and allottee of Shop No.K1 at Vegetable Market, Koyambedu Wholesale Market Complex, Koyambedu. It is claimed that in front of the petitioner's shop there is place for loading and unloading of vehicles, but many people are using the truck bay for selling goods and are thereby causing traffic jam. It is alleged that such occupants do not have any valid license. In this regard, the petitioner made several representations to the third respondent, but till date no action has been initiated by the respondent/authorities to remove the unauthorized occupants doing business in truck bay.

4. Considering the facts and circumstances of the case, we direct the third respondent to consider the last representation of the petitioner dated 22.11.2016 and pass appropriate orders in accordance with law within two months from the date of receipt of a copy of this order. Moreover, it is always open to the petitioner to approach the civil court seeking injunction against such unauthorized parking of vehicles in front of his shop.

The petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

sasi

To:

1. The Member Secretary
Chennai Metropolitan Development Authority
Egmore, Chennai- 600 008.
2. The Chief Executive Officer
Chennai Metropolitan Development Authority
Egmore, Chennai- 600 008.
3. The Chief Administrative Officer
Market Management Committee
Koyambedu Whole sale Market Complex
Koyambedu, Chennai-92.

+1cc to Mr.K.C. Gandhi, Advocate, S.R.No.11130

+1cc to Mr.K. Raja Srinivas, Advocate, S.R.No.11264

UG(CO)

EU 2.03.17

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