

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.07.2018

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.12775 of 2017 &
W.M.P.Nos.13629 & 13630 of 2017

S.Chandran,
S/o.G.Sengaiah, President,
Periyar Market M.M.C.Urimam Pettra
Viyabarigal Sangam,
REgn.No.874/2000,
E-113, Periyar Vegetable Market,
Koyambedu, Chennai - 600 092. ... Petitioner

Vs.

- 1.The Chief Administrative Officer,
Market Management Committee,
Koyambedu Wholesale Market Complex,
Koyambedu, Chennai - 600 107.
- 2.The Member Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 600 008. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari to call for the records pertaining to the notification issued by the first respondent in Auction-cum-Tender Notice No.2/2017-2018, dated 13.04.2017 and quash the same.

For Petitioner : Mr.T.Sivagnanasambandan
For Respondents : Mr.M.Velmurugan for R1
Mr.P.Tamilmani for R2

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O R D E R

Heard Mr.T.Sivagnanasambandan, learned counsel for the petitioner; Mr.M.Velmurugan, learned counsel for the first respondent; Mr.P.Tamilmani, learned counsel for the second respondent and perused the materials available on record.

2. This Writ Petition has been filed by the registered association in Koyambedu Wholesale Market Complex, challenging the notification of the first respondent, dated 13.04.2017.

3. The petitioner would state that originally the respondents permitted parking of vehicles entering into the Koyambedu Wholesale Market Complex for 24 hours for the purpose of loading and unloading of goods, but later the time was reduced to 12 hours. The grievance of the petitioner is that by the impugned notification, the time is further reduced to 4 hours by introducing Access Control System with boom barriers.

4. Mr.M.Velmurugan, learned Standing Counsel for the first respondent, on instructions, submitted that the respondents have now agreed to maintain the existing system and on additional payment of GST alone.

5. Mr.T.Sivagnanasambandan, learned counsel for the petitioner submitted that the petitioner-Association is ready to pay the existing entry fee along with G.S.T.

6. Recording the submissions of the learned counsel on either side, this Writ Petition is disposed of as no further adjudication is required. There is no order as to costs. Consequently, connected miscellaneous petitions are closed.

-s/d-

Deputy Registrar

True Copy

Sub-Assistant Registrar

r n s

To

1. The Chief Administrative Officer,
Market Management Committee,
Koyambedu Wholesale Market Complex,
Koyambedu, Chennai - 600 107.

2. The Member Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 600 008.

+1 CC to Mr.T. Sivagnana Sambandan, Advocate sr 45238.

+1 CC to Mr.M. Velmurugan, Advocate sr 45803.

+1 CC to Mr.P. Tamilmani, Advocate sr 45409.

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SP(31/07/2018)