

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.07.2018

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.14445 of 2017 &
W.M.P.No.15652 of 2017

Chennai Koyambedu Anna Fruits and
Gova Fruits Whole Sale Merchants
General Welfare Sangam,
Registration No.8/2013,
T/A.145, Anna Fruit Angadi,
Koyambedu, Chennai - 600 107.
Represented by its President,
A.S.Dasin

... Petitioner

Vs.

- 1.The Chief Executive Officer,
Chennai Metropolitan Development Authority,
Egmore, Chennai - 600 008.
- 2.The Secretary / Chief Administrative Officer,
Market Management Committee,
Koyambedu Wholesale Market Complex,
Koyambedu, Chennai - 600 107.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records made in impugned Order Letter No.MMC/AE/(C)/86-2016, dated 15.05.2017 passed by the second respondent herein and quash the same as illegal and direct the respondents to maintain the existing rate and time of 12 hours instead of 4 hours unreasonable condition to secure the ends of justice.

For Petitioner : Mr.R.Sankarasubbu
For Respondents : Mr.P.S.Ganesh,
Standing Counsel for R1

Mr.M.Velmurugan
Standing Counsel for R2

O R D E R

Heard Mr.R.Sankarasubbu, learned counsel for the petitioner; Mr.P.S.Ganesh, learned Standing Counsel for the first respondent; Mr.M.Velmurugan, 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 second respondent, dated 15.05.2017.

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 second respondent, on instructions, submitted that the respondents have now agreed to maintain the existing system and on additional payment of GST alone.

5. Mr.R.Sankarasubbu, 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 petition is closed.

-s/d-

Deputy Registrar

True Copy

Sub-Assistant Registrar

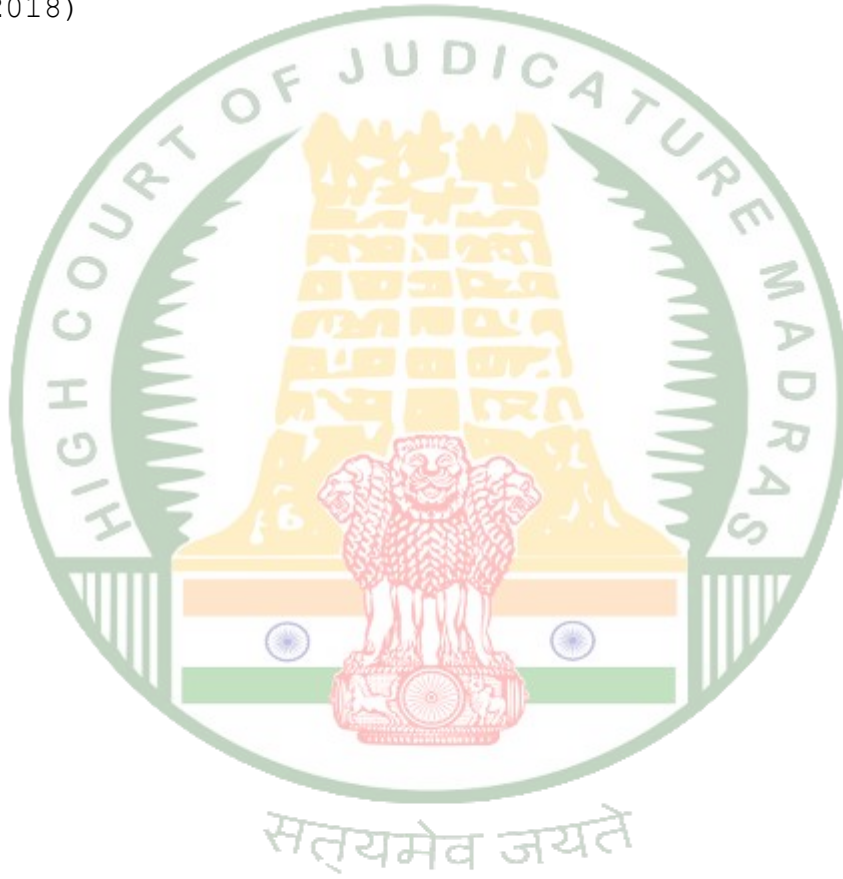
r n s
To

- 1.The Chief Executive Officer,
Chennai Metropolitan Development Authority,
Egmore, Chennai - 600 008.
- 2.The Secretary / Chief Administrative Officer,
Market Management Committee,
Koyambedu Wholesale Market Complex,
Koyambedu, Chennai - 600 107.

+1 CC to Mr.R. Saravanasubbu, Advocate sr 145443.
+1 CC to Mr.M. Velmurugan, Advocate sr 45806.
+1 CC to Mr.P.S. Ganesh, Advocate sr 46080.

W.P. No.14445 of 2017 &
W.M.P.No.15652 of 2017

KGK (CO)
SP(31/07/2018)



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