

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.11.2018

C O R A M

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P.Nos.23688 to 23690 of 2018

WMP.Nos.27629 to 27637 of 2018

Mr.S.K.Suresh Kumar,
S/o.P.Sukumaran,
No.2, Sabari Tea Stall,
Alanthur Road,
SIDCO Industrial Estate,
Guindy, Chennai-600 032. Petitioner
in W.P.No.23688 of 2018

Mr.R.L.Selvam,
S/o.Loganathan,
No.10,Aswini Tiffin Centre,
Alanthur Road,
SIDCO Industrial Estate,
Guindy, Chennai-600 032. Petitioner
in W.P.No.23689 of 2018

Mr.S.Bhagavathi,
S/o.Shanmuga Devar,
No.5, Sai Fast Food Centre,
Alanthur Road,
SIDCO Industrial Estate,
Guindy, Chennai-600 032. Petitioner
in W.P.No.23690 of 2018

Vs.

1. The Commissioner,
Greater Chennai Corporation,
Rippon Buildings,
Chennai-600 003.
2. The Zonal Health Officer,
Zone-13, Greater Chennai Corporation,
LB Road, Adyar,
Chennai-600 003.
3. The Revenue Officer,
Greater Chennai Corporation,
Rippon Buildings,
Chennai-600 003.

4. SIDCO,
Represented by its Chairman &
Managing Director,
Pawlwel's Road,
Kathipeera Junction,
Chennai-600 016.

... Respondents
in all the cases.

(R4 impleaded as per Court Order dated 28.09.2018 in WMP.No.
29470/2018)

Prayer in W.P.Nos.23688 to 23690 of 2018: Writ Petitions are
filed under Article 226 of Constitution of India, praying to
call for records of the 2nd respondent relating to the passing of
the impugned order issued in proceedings dated 12.06.2018 and
quash the same and consequently direct the respondents not to
lock and seal the petitioner premises situate at

i) No.2, Sabari Tea Stall; No.10, Aswini Tiffin Centre; No.5,
Sai Fast Food Centre; respectively, SIDCO Industrial Estate,
Guindy, Chennai-600 032. (WP.23688 of 2018)

ii) No.10 Aswini Tiffin Centre Alanthur Road Sidco Industrial
Estate Guindy Chennai 32 (WP. 23689 of 2018)

iii) No.5 Sai Fast Food Centre Alanthur Road Sidco Industrial
Estate Guindy Chennai 32 (WP.23690/2018) except by due
processes of Law.

For Petitioners : Mr.R.Ramanlaal
in all the cases

For Respondents : Mr.V.C.Selvasekaran, Standing Counsel
in all the cases

C O M M O N O R D E R

Challenging the notice issued by 2nd respondent/Zonal
Heath Officer, Greater Chennai Corporation under Section 44 of
the Tamil Nadu Public Heath Act, this writ petition is filed.

2. In the year 1994, the petitioners were allotted a
vacant land at Industrial Estate, Guindy by the 4th
respondent/Tamil Nadu Small Industrial Development Corporation
Ltd., for running a bunk shops, Tea stall and fast food centres.
The petitioners were also obtained license from the
respondent/Corporation of Madras. The license was also
periodically renewed upto 31.03.2018. If that being the

position, now the 2nd respondent/Zonal Health Officer, Greater Chennai Corporation has issued notice stating that there is violation of the provisions of the Public Health Act, as they are not maintaining the hygienic environment and not discharging the waste water properly, and the respondents are also directed the petitioners to rectify the same.

3. The learned counsel appearing for the petitioners submitted that after receipt of the notice, now the petitioners rectified all the deficiencies as pointed out by the 2nd respondent and also approached the 2nd respondent to conduct inspection.

4. Earlier, this Court, directed the learned Counsel for the respondents/Corporation to direct the Officials to inspect the petitioner's premises and file a report to the effect that, whether, the petitioners have rectified all the deficiencies as pointed out in the impugned notice.

5. Today, when the matter is taken up for hearing, the learned counsel appearing for the respondents submitted that the Officials of Corporation have inspected all the shops and deficiencies as pointed out by the 2nd respondent, have been rectified.

6. The learned counsel appearing for the respondents would further submit that license to the petitioners was renewed upto 31.03.2018, thereafter, the petitioners license was not renewed as on today but they are running the business, without any license. The issue involved in the present writ petition is not relating to obtaining license but only relating to the notice issued by the respondents. It is admitted by the learned counsel for the respondents that now the petitioners have rectified all the mistakes and there is no necessity to proceed with the impugned notice. Hence, the respondents are directed not to take any further action pursuant to the impugned notice issued by the 2nd respondent/Corporation. However, it is always open to the respondents/Corporation to take necessary action against the petitioners, for running the shops, without any proper license, in accordance with law.

7. With the above observations, the Writ Petitions are closed. No costs. Consequently, connected Miscellaneous Petitions are also closed.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

bsm

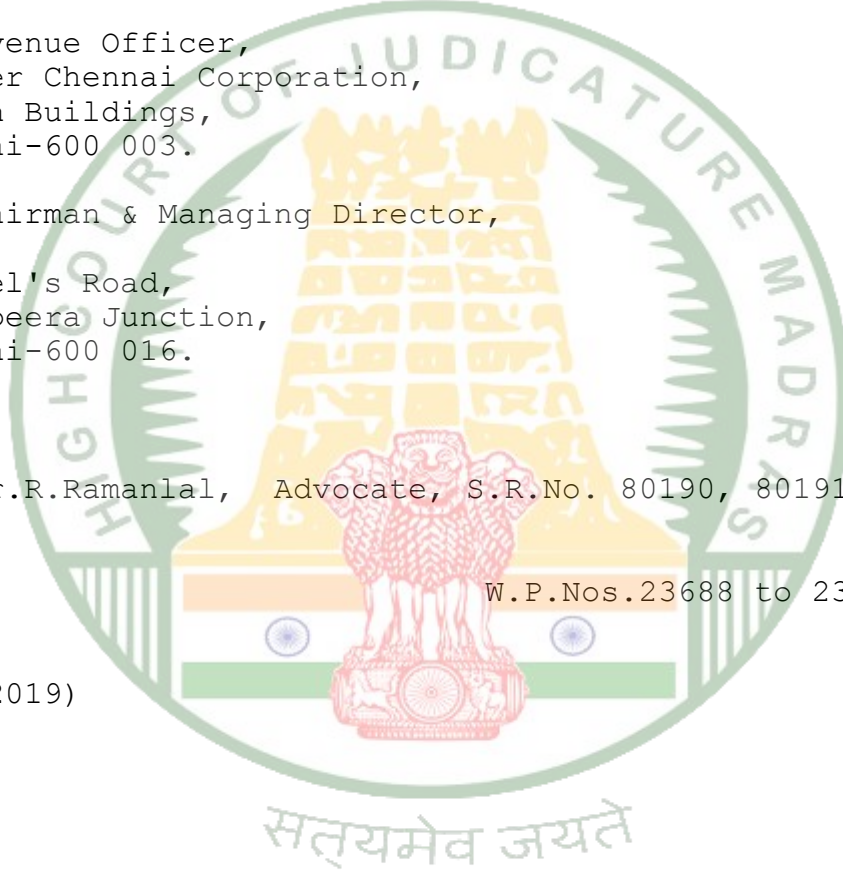
To

1. The Commissioner,
Greater Chennai Corporation,
Rippon Buildings,
Chennai-600 003.
2. The Zonal Health Officer,
Zone-13,
Greater Chennai Corporation,
LB Road, Adyar,
Chennai-600 020.
3. The Revenue Officer,
Greater Chennai Corporation,
Rippon Buildings,
Chennai-600 003.
4. The Chairman & Managing Director,
SIDCO,
Pawlwell's Road,
Kathipeera Junction,
Chennai-600 016.

+3cc to Mr.R.Ramanlal, Advocate, S.R.No. 80190, 80191, 80192

W.P.Nos.23688 to 23690 of 2018

RSI (CO)
GN(01/02/2019)



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