

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2018

CORAM

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P. 24018 of 2018
and
W.M.P. 27980 of 2018

K.Ameer John

... Petitioner

Vs.

1. The Commissioner,
Greater Corporation of Chennai,
Rippon Buildings,
Chennai-600 003.
2. The Revenue Officer/Zonal Officer,
Zone-10, Greater Chennai Corporation,
Rippon Buildings,
Chennai-600 003.
3. A.J.Pandian,
S/o. Abraham Nadar,
No.10, Kodambakkam Road,
West Mambalam,
Chennai-600 033.

.... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the 2nd respondent's order No.nil dated 20.04.2018 to quash the same and to consequently direct the respondents 1st and 2nd to issue necessary trading license to the petitioner to run the eating house at No.9, Govindan Street, Kodambakkam Road, West Mambalam, Chennai-600 033.

For Petitioner : Mr.L.Chandrakumar
For Respondents : Mr.V.C.Selvasekaran,
Standing Counsel for R1 & R2
Mr.MA.P.Thangavel for R3

O R D E R

This Writ Petition has been filed challenging the order issued under the Chennai City Municipal Corporation Act to close the shop on the ground that the petitioner is running the shop without having a license.

2. Earlier, it was submitted by the petitioner that the application of the petitioner for renewal was rejected on the ground that the petitioner did not pay the prescribed license fee. Hence, this Court by an order dated 18.09.2018 directed the petitioner to file a fresh application for renewal of license along with prescribed fees. Based on the interim order, now it is submitted that the license has been renewed in favour of the partnership firm.

3. Mr.L.Chandrakumar, learned counsel for the petitioner submitted that since, already the license has been renewed in the name of the petitioner, no further order is required. Hence, he has submitted that the Writ Petition may be dismissed as infructuous.

4. Mr.Ma.P.Thangavel, learned counsel for the 3rd respondent submitted that the renewal of license has been obtained on misrepresentation of fact and the proper fact was not brought to the notice of this Court while passing the order. Hence, according to him, the renewal of license itself is not correct.

5. In the said circumstances, if at all, the 3rd respondent has any grievance in respect of renewal of license, it is always open to him to challenge the same before the appropriate authority in the manner known to law. However, in view of the submission made by the learned Counsel appearing for the Petitioner that the Writ Petition may be dismissed as infructuous, the present Writ Petition is dismissed as infructuous. No costs. Consequently, connected writ miscellaneous petition is closed.

s/d-

Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

rpp
To

1. The Commissioner,
Greater Corporation of Chennai,
Rippon Buildings,
Chennai-600 003.
2. The Revenue Officer/Zonal Officer,
Zone-10, Greater Chennai Corporation,
Rippon Buildings,
Chennai-600 003.

+1 CC to Mr.L.Chandrakumar , Advocate sr 84655.
+1 CC to Mr.Ma.P.Thangavel, Advocate sr 85026.

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and
W.M.P. 27980 of 2018

BS (CO)
SP (21/12/2018)



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