

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.18884 of 2018

Boopathy

... Petitioner

vs.

1.The Chairman,
Market Management Committee,
C.M.D.A.
Egmore, Chennai - 600 008.

2.The Principal Administrative Officer,
Market Management Committee,
Koyambedu Wholesale Market Complex,
Koyambedu, Chennai - 600 107.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents herein to dispose of the petitioner's representation dated 23.06.2018.

For Petitioner : Mr.J.Franklin

For Respondents : Mr.M.Velmurugan
Standing counsel

ORDER

Heard Mr.J.Franklin, learned counsel for the petitioner and Mr.M.Velmurugan, learned Standing Counsel for the respondents and perused the materials available on record.

2. This Writ petition has been filed for the issuance of a writ of mandamus, directing the respondents to dispose of the petitioner's representation dated 23.06.2018.

3. The case of the petitioner is that the second respondent on 06.06.2016 sealed his Shop No.K-13, alleging that he was selling lottery tickets illegally.

4. The learned counsel for the petitioner submitted that the petitioner's father T.P.Mani was the original allottee of the Shop No.K-13, Koyambedu Wholesale Market Complex, Chennai. After his demise, the petitioner has been running the shop with

licence obtained from the respondents. It is further stated that the second respondent has sealed the Shop No.T.G.17, Ragu & Sons, on the same ground that they were selling Lottery Tickets illegally. However, the said Shop was reopened, after obtaining undertaking from the owner. Since the petitioner's shop was not opened, despite his representation dated 23.6.2018, he has come up with this writ petition.

5. The learned counsel for the petitioner further submitted that it would suffice, if a suitable direction is issued to the second respondent to considering the representation of the petitioner.

6. The learned Standing Counsel appearing for the respondents submitted that even after the demise of the original allottee, the petitioner was running the shop on a licence obtained in the name of his father and the second respondent is ready to consider the representation of the petitioner in accordance with law.

7. Considering the submissions made by the learned counsel on either side, this Court, without going into the merits of the case, directs the second respondent to consider the representation of the petitioner dated 23.6.2018 and pass orders on merits and in accordance with law, after providing an opportunity to all necessary parties, within a period of eight weeks, from the date of receipt of a copy of this order.

8. With the above direction, the writ petition is disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

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Sub Assistant Registrar

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+1cc to Mr.M.Velmurugan, Advocate sr.no.50984
+1cc to Mr.J.Franklin, Advocate sr.no.51964

W.P.No.18884 of 2018

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