

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.02.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WP.No.36220 of 2016 & WMP.Nos.31151 & 31152 of 2016
and WP.No.25919 of 2016 & WMP.No.22167 of 2016

Tangy Enterprises Pvt. Ltd.,
Rep. by its Managing Director,
Mr.Emmanuel Fernandez.Petitioner in W.P.No.36220
of 2016

Don Thomas FernandezPetitioner in W.P.No.25919
of 2016

Vs.

1.The Commissioner,
Corporation of Chennai,
Ribbon Buildings, Chennai.

2.The Revenue Officer,
Revenue Department
Corporation of Chennai,
Ribbon Buildings, Chennai.

3.The Assistant Commissioner,
Corporation of Chennai,
No.120, Rajiv Gandhi Salai,
Sholinganallur, Chennai - 600 119.

4. The Zonal Officer,
Zone-XV, Corporation of Chennai,
No.120, Rajiv Gandhi Salai,
Sholinganallur, Chennai - 600 119.

5. The License Inspector,
Zone XV, Corporation of Chennai,
No.120, Rajiv Gandhi Salai,
Sholinganallur, Chennai - 600 119.

6. Don Thomos FernandezRespondents in W.P.No.36220 of 2016

1.The Commissioner,
Corporation of Chennai,
Ripon Buildings, Chennai.

2.The Revenue Officer,
Revenue Department
Corporation of Chennai,
Ripon Buildings, Chennai.

3.The Zonal Officer,
Zone-XV, Corporation of Chennai,
No.120, Rajiv Gandhi Salai,
Sholinganallur, Chennai - 600 119.

4.Shiraz Art Café,
Tangy Resort, 27, Beach Road,
Neelangarai, Chennai.

5. Mark Fernandez ...Respondents in W.P.No.25919 of 2016
(R5 suo motu impleaded as per order dated 27.07.2016)

PRAYER in W.P.No.36220 of 2016: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents 1 to 5 herein to grant the licence to the petitioner under Section 279 of Chennai City Municipal Corporation Act 1919 pursuant to the petitioner's application dated 11.04.2016.

PRAYER in W.P.No.25919 of 2016: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the 1st, 2nd and 3rd respondents to take appropriate action against the 4th respondent under Section 379-A of the Chennai City Municipal Corporation Act, 1919 for running a café / restaurant without a licence under Section 279 of the Chennai City Municipal Corporation Act, 1919.

In W.P.No.36220 of 2016

For Petitioner : Mr.K.Krishnan
For Respondents : Mr.R.Arunmozhi (for R1 to R5)
Mr.Sharath Chander (for R6)

In W.P.No.25919 of 2016

For Petitioner : Mr.Govind Chandrasekhar
For Respondents : Mr.R.Arunmozhi (for R1 to R4)
Mr.K.Krishnan (for R5)

COMMON ORDER

The writ petition W.P.No.36220 of 2016 is filed for issuance of a Writ of Mandamus to direct the respondents 1 to 5 to grant licence to the petitioner under Section 279 of Chennai City Municipal Corporation Act 1919 pursuant to the petitioner's application dated 11.04.2016.

2. The writ petition W.P.No.25919 of 2016 is filed for issuance of a Writ of Mandamus to direct the respondents 1 to 3 to take appropriate action against the 4th respondent under Section 379-A of the Chennai City Municipal Corporation Act, 1919 for running a café / restaurant without a licence under Section 279 of the Chennai City Municipal Corporation Act, 1919.

3. Heard the learned counsel for both sides and perused the materials available on record.

4. The learned standing counsel for the Corporation of Chennai submitted that the application for issuance of licence was favourably considered and licence was issued in favour of the petitioner in W.P.No.36220 of 2016 and a copy of the same was produced before this Court for perusal.

5. In the light of the above facts, this Court is of the opinion that both the writ petitions have become infructuous. Accordingly, they are dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

s/d-
Assistant Registrar (CS VII)

True Copy

Sub-Assistant Registrar

pvs

+1 CC to MR.K. Krishnan, Advocate sr 11657.

+1 CC to Mr.K. Krishnan, Advocate sr 11656(09/03/2018)

सत्यमेव जयते

WP.No.36220 of 2016
& WP.No.25919 of 2016

AK(CO)
SP(27/02/2018)

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