

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2018

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.30170 , 30175 & 30177 of 2018

and

W.M.P.No.35223, 35229 & 35232 of 2018

A.Rathnakaran

... Petitioner in W.P.30170/2018

G.Dinakaran

.... Petitioner in W.P.30175/2018

C.Y.Aasife Ahamed

.... Petitioner in W.P.30177/2018

Vs.

1. The Assistant Commissioner,
Corporation of Chennai,
Zone -13, Rippon Buildings,
Chennai - 600 003.

2. The Zonal Officer,
Zone-13, Corporation of Chennai,
Chennai - 600 020.

3. The Assistant Revenue Officer,
Zone-13, Corporation of Chennai,
Chennai - 600 020.

... Respondents in all W.Ps.

PRAYER in W.P.Nos.30170 of 2018 : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to consider the claim of the petitioner for grant of renewal of license for the petitioner's juice stall at No.13, MF13, Cipet Road, Guindy Industrial Estate, Chennai - 600 032 on the basis of the representation dated 11.11.2018.

PRAYER in W.P.30175 of 2018 : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to consider the claim of the petitioner for grant of renewal of license for the petitioner's Anjana Devi Andhra mess at No.7, Parthasarathi Koil 2nd street, Guindy, Chennai - 600 032 on the basis of the representation dated 11.11.2018.

PRAYER in W.P.30177 of 2018 : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to consider the claim of the petitioner for grant of renewal of license for the petitioner's Aasife Briyani (Pvt. Ltd) at D-6, Guindy Industrial Estate, Guindy, Chennai 600 032 on the basis of the representation dated 11.11.2018.

For Petitioner
in all W.Ps. : Mr.L.Chandrakumar
For Respondents
in all W.Ps. : Mrs. Karthika Ashok,
Standing counsel

COMMON ORDER

These writ petitions have been filed seeking direction to renew the petitioners' licence in respect of their shop.

2. The grievance of the petitioners is that they are running juice stall and hotel in the said shop for several years and the licence expired in the month of March 2017. Even though the petitioners made application seeking renewal, the respondents Corporation had not taken any steps on his application. But, they are taking steps to close the shops on the ground that the licence was not renewed. Hence, the present writ petitions have been filed.

3. Mrs. Karthika Ashok, Standing counsel appearing for the respondents, on instructions, submitted that even though licence was expired in the month of March 2017, so far, the petitioners have not made any application for renewal. Apart from that, in the month of January 2018, notice has been issued to the petitioners under Section 44 of the Public Health Act to rectify some defence. But the same was not rectified.

4. I have considered the rival submissions made on either side and perused the materials available on record.

5. Admittedly, the licence of the petitioners was expired in the month of March 2017. Even though the petitioners had stated that they have submitted application for renewal, the same was disposed of by the respondents.

6. Considering the above facts and circumstances, the petitioners are directed to file a fresh application before the third respondent seeking renewal within a period of one week from the date of receipt of a copy of this order and on receipt of the same, third respondent is directed to consider the application and pass suitable orders on merits and in accordance

with law within a period of two weeks thereafter. Till the order passed on the application filed by the petitioners, the respondents are directed not to dispossess the petitioners.

7. With the above directions, these writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

1. The Assistant Commissioner,
Corporation of Chennai,
Zone -13, Rippon Buildings,
Chennai - 600 003.
2. The Zonal Officer,
Zone-13, Corporation of Chennai,
Chennai - 600 020.
3. The Assistant Revenue Officer,
Zone-13, Corporation of Chennai,
Chennai - 600 020.

+1cc to Mr.L.Chandrakumar, Advocate sr.no.81445
+1cc to Mrs. Karthika Ashok, Advocate sr.no.81445

सत्यमेव जयते

W.P.No.30170 of 2018

30175 & 30177 of 2018

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