

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2018

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

W.P.Nos.30893, 31111 & 31293 of 2018
and

W.M.P.Nos. 36048, 36051, 36305, 36309, 36476 & 36477, of 2018

M.Murugan Petitioner in W.P.30893/2018

M.Murugesan Petitioner in W.P.31111/2018

T.S.Murugan Petitioner in W.P.31293/2018

Vs.

1. The Commissioner,
Greater Chennai Corporation,
Rippon Buildings,
Chennai - 600 003.
2. The Assistant Commissioner,
Zone - 13,
Greater Chennai Corporation,
LB Road, Adyar,
Chennai - 600 020.
3. The Revenue Officer,
Greater Chennai Corporation,
Rippon Buildings,
Chennai - 600 003.
4. Small Industries Development Corporation Ltd.,
rep. by its Chairman and Managing Director,
Paulwel's Road,
Kathipara Junction,
Chennai - 600 016 ... Respondents in all W.Ps.

PRAYER in W.P.No.30893 of 2018 :

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari to call for the records of the 2nd respondent relating to the passing of the impugned order issued in proceedings dated 08.11.2018 and quash the same and consequently direct the respondents 1 and 3 to renew the petitioner's licence for his business with the trade name Chill

Juice Shop situate at No.13, MF13, Cipet Road, Guindy Industrial Estate, Guindy, Chennai - 600 032.

PRAYER in W.P.No.31111 of 2018 :

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records of the 2nd respondent relating to the passing of the impugned order issued in proceedings dated 08.11.2018 and quash the same and consequently direct the respondents 1 and 3 to renew the petitioner's licence for his business with the trade name Hot and Chill Juice Shop situate at No.13, MF13, Cipet Road, Guindy Industrial Estate, Guindy, Chennai - 600 032.

PRAYER in W.P.No.31293 of 2018 : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records of the 2nd respondent relating to the passing of the impugned order issued in proceedings dated 08.11.2018 and quash the same and consequently direct the respondents 1 and 3 to renew the petitioner's licence for his business "Popular Biriyani" situate at No.MF13, -A/2, Industrial Estate, Guindy, Chennai - 600 032.

For Petitioner : Mr.R.Ramanlaal (in All WPs)

For Respondents : Mrs.Karthika Ashok,
Standing counsel,
for R1 to R3 (in All WPs)

COMMON ORDER

These writ petitions have been filed seeking direction to renew the petitioners' licence of their respective shops.

2. The grievance of the petitioners is that, they are running the petty shops in the place belongs to the 4th respondent for several years and they were issued with the licence. After expiry of the licence, the petitioners made application seeking renewal, but the respondents Corporation did not take any steps on their application and kept it pending, however, now they are taking steps to close the shops on the ground that the licence was not renewed. Hence, the present writ petition has been filed.

3. The learned counsel appearing for the petitioner submitted that similarly placed persons, who are running the shop in the same area are permitted to run the shops without licence, and the petitioners shops alone were closed by the corporation.

4. In a similar circumstance, this Court, in W.P.No.23688 to 23690 of 2018 dated 23.11.2018, directed the similarly placed persons to file application for renewal before the third respondent/Revenue Officer, within a period of one week and the third respondent was directed to pass suitable order within a period of two weeks and till then the respondents are directed not to dispossess the petitioners therein.

5. Considering the above facts and circumstances, as the petitioners are also similarly placed persons, the petitioners are directed to file the renewal application before the third respondent within a period of one week from the date of receipt of a copy of this order along with necessary fees. On receipt of the same, the third respondent is directed to consider the same and pass suitable orders on merits and in accordance with law within a period of two weeks thereafter. Till the final order passed on the application filed by the petitioners, the respondents are directed to remove the lock and seal and permit the petitioners to run the shop.

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

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

mrp

To

1. The Commissioner,
Greater Chennai Corporation,
Rippon Buildings,
Chennai - 600 003.
2. The Assistant Commissioner,
Zone - 13,
Greater Chennai Corporation,
LB Road, Adyar,
Chennai - 600 020.
3. The Revenue Officer,
Greater Chennai Corporation,
Rippon Buildings, Chennai - 600 003.

4. Small Industries Development Corporation Ltd.,
rep. by its Chairman and Managing Director,
Paulwel's Road, Kathipara Junction,
Chennai - 600 016

+3cc to Mr.R.Ramanlal, Advocate in sr.no.81206 to 81208

W.P.No.30893,31111
& 31293 of 2018

VD(CO)
CS/08/01/2019



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