

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.04.2019

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.6970 of 2019
and W.M.P.No.7703 of 2019

- 1 M/s.Mahalakshmi Traders
Rep. by its Partner M.Sivakumar,
S/o.S.Muthusamy,
No.21 Sriram Nagar, Lakshmipuram
Peelamedu, Coimbatore - 4. Petitioner
- Vs.
- 1 The Chief Executive Officer,
Chennai Metropolitan Development Authority
No.1 Gandhi Irwin Road,
Egmore Chennai - 600 008.
- 2 The Market Management Committee,
Chennai Metropolitan Development Authority,
No.1 Gandhi Irwin Road,
Egmore, Chennai - 600 008. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to allow the petitioner truck through gate No.18 at Anna Fruit Market Complex truckbay to unload/load the fruits to the respective shop owners within the Anna Fruit Market complex.

For Petitioner : Mr.N.Sampath

For Respondent No.1 : Mr.Karthik Rajan

For Respondent No.2 : Mr.Velmurugan

O R D E R

According to the petitioner, the respondents prevented the petitioner's truck from entering with fruits through Gate No.18 of Anna Fruit Market complex to unload/load in the truck bay in the fruit market to supply the fruits to the respective shops at Anna Fruit Market, Koyambedu wholesale market complex.

2. The learned standing counsel appearing for the respondents would submit that in order to regulate the vehicle entering the market area, especially for regulating the loaded vehicle of licence vendors coming down with materials for sale to the market premises, the Advocate Commissioner has suggested token system of issuance of two token per licence vendor, especially wholesale vendor/trader operating from the market. Accordingly, the said system of issuance of token was effected from 25.9.2018 on trial basis and after a joint meeting on 11.10.2018 of traders and management, the token system entry and exist scheme was fully implemented since 11.10.2018. The loaded vehicles were permitted to enter into the market through Gate 18 and Gate 14 for the fruits and vegetables respectively and to reach the truck bay situated at the respective area, earmarked for loading and unloading. After unloading the materials the vehicles were to exit through Gate 3 and Gate 7 respectively. This system has been introduced pursuant to the order, dated 23.9.2016 in W.P.No.26149 of 2009. According to the learned Standing counsel appearing for the respondents, two tokens were issued in the name of shop and those who have produced the tokens, were allowed to go through the gate as stated above.

3. The learned counsel appearing for the petitioner submitted that the petitioner will hand over the token issued in the name of shop No.TD107 to the authority and use the Gate as stated by the respondent.

4. Recording the submission made by the learned counsel appearing for the parties, the writ petition is closed. It is made clear that the petitioner's vehicle will be allowed as per the system stated above, subject to production of token issued by the respondent in the name of shop No.TD107. No costs. Connected miscellaneous petitions are closed.

सत्यमेव जयते
Sd/-

Assistant Registrar(CS VII)

//True Copy//

WEB COPY
Sub Assistant Registrar

To

- 1 The Chief Executive Officer,
Chennai Metropolitan Development Authority
No.1 Gandhi Irwin Road, Egmore Chennai - 600 008.

2 The Market Management Committee,
Chennai Metropolitan Development Authority,
No.1 Gandhi Irwin Road, Egmore, Chennai - 600 008.

+1cc to M/S.N.Sampath, Advocate Sr.37005
+1cc to Mr.Karthik Rajan, Advocate Sr.37266

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srg 23/04/2019



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