

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2019

CORAM

THE HON'BLE MRS.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.DURAIWAMY

W.P.Nos.12254 to 12256 of 2018

Annai Theresa Nalindhor Salaiyora
Siru Vyabarigal Sangam
Rep. by its Secretary, C.Madappan
Reg.No.985/99
No.7, Kuralagam Annex Building
Chennai-600 108.

.. Petitioner
in WP.12254/2018

Jeeva Siru Kadai Vyabarigal Sangam
Rep. by its President, K.Krishnasamy
Reg.No.306/96
No.7, Kuralagam Annex Building
(Lakshmi Telecom)
Chennai - 600 108.

.. Petitioner
in WP.12255/2018

Raja Annamalai Mandram Nadai
Pathai Vyabarigal Sangam
Rep. by its Treasurer, V.Shagul Hameed
Reg.No.89/96
No.37, CITU Office 2nd Floor
Bandher Street
Chennai - 600 001.

.. Petitioner
in WP.12256/2018

-Vs-

1 The Commissioner
Corporation of Chennai
Rippon Building
Chennai - 600 003.

2 The Chairman
Hawking Zone Implementation Committee
No.7/6, 3rd Cross Street
R.A.Puram
Chennai - 600 028.

3 The Chairman
Town Vending Committee
Rep by its Greater Chennai Corporation
Zone-5, No.61, Basin Bridge Road
Old Washermenpet
Chennai - 600 021. .. Respondents
(R3 impleaded in the three writ petitions in all WPs.
vide order dated 7.2.2019 passed in
WMP.Nos.4145, 4146 and 4147/2019)

COMMON PRAYER: Petitions under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to permit the members of the petitioner Associations to put up concrete structure in the allotted area covered with iron rolling shutter or any other structure that may be specified by the respondents in order to secure and safeguard their goods as that is allowed in the case of Burma Bazaar and China Bazaar.

For Petitioners : Mr.R.Syed Mustafa

For Respondents : Mr.P.H.Aravind Pandian
Addl. Advocate General
assisted by
Mr.R.Arunmozhi

COMMON ORDER
(Order of the Court was made by M.DURAISWAMY,J.)

The petitioners have filed the above writ petitions to issue a writ of mandamus directing the respondents to permit the members of the petitioner Associations to put up concrete structure in the allotted area covered with iron rolling shutter or any other structure that may be specified by the respondents in order to secure and safeguard their goods as that is allowed in the case of Burma Bazaar and China Bazaar.

2. When the writ petitions are taken up for hearing, the learned counsel appearing for the petitioners submitted that the issue involved in the present writ petitions was referred to the Town Vending Committee and that the Town Vending Committee, by order dated 9.7.2019, rejected the prayer made by the petitioners.

3. Since the request made by the petitioners has been rejected by the Town Vending Committee, the relief sought for in the present writ petitions has become infructuous and, accordingly, the writ petitions are dismissed as infructuous.

However, it is open to the petitioners to challenge the order dated 9.7.2019 passed by the Town Vending Committee in accordance with law. No costs.

sasi

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1 The Commissioner
Corporation of Chennai
Rippon Building, Chennai - 600 003.
- 2 The Chairman
Hawking Zone Implementation Committee
No.7/6, 3rd Cross Street
R.A.Puram, Chennai - 600 028.
- 3 The Chairman
Town Vending Committee
Rep by its Greater Chennai Corporation
Zone-5, No.61, Basin Bridge Road
Old Washermenpet, Chennai - 600 021.

+3CCs to Mr.R.Syed Mustafa, Advocate, SR.Nos.63457,
63458 & 63459/19

+1cc to M/s.R.Arunmozhi, Advocate, SR.No.63298/19

W.P.Nos.12254 to 12256 of 2018

Kak(27/08/2019)