

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2019

CORAM

THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

W.P.No.11471 of 2019

G.Thirumani

...Petitioner

-Vs-

1.The Commissioner,
Corporation of Chennai,
Rippon Building,
Poonamallee High Road,
Chennai.

2.Mr.Raj Kumar

3.Mr.Kumar

...Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for issuance of Writ of Mandamus, directing the first respondent to consider the representation dated 07.03.2019 of the petitioner and pass appropriate orders on merits and in accordance with law.

For Petitioner : D.Manimaran

For Respondents : Mrs.Karthikaa Ashok
Standing Counsel for R1

O R D E R

Mrs.Karthikaa Ashok, learned Standing Counsel for the first respondent. By consent, this Writ Petition is taken up for final disposal.

2. In this Writ Petition, the petitioner seeks for a direction to the first respondent to consider the representation of the petitioner, dated 07.03.2019 and pass appropriate orders on merits and in accordance with law.

3. The petitioner is the owner of the shop situated at Door No.2/132, New No.8/39, Poonamallee High Road, Iyyapanthangal, Chennai and he rented out the said shop to the second respondent for running a Restaurant in the name and style of "MYDIL REST O

RANT". However, the said shop was run by one Mr.Kumar, third respondent herein and the restaurant license also stands in the name of the third respondent. Hence, the petitioner sent a representation to the first respondent on 07.03.2019 to take appropriate action against the respondents 2 and 3 for running the restaurant in the name and style of "MYDIL REST O RANT" without getting permission from Corporation of Chennai in the name of the third respondent, without having rental agreement and food safety license. However, no action was taken till date. Hence, the present Writ Petition.

4. The learned Standing Counsel for the respondent-Corporation would submit that as the relief sought for in the Writ Petition is against the Food Safety Authority, the petitioner has to approach only the concerned authority for taking action against the respondents 2 and 3. Insofar as trade license is concerned, if the second and third respondents have not obtained any license, the respondent-Corporation will take appropriate action against the second and third respondents.

5. Recording the submission made by the learned Standing Counsel appearing for the respondent-Corporation that if the second and third respondents have not obtained any license, the first respondent-Corporation will take appropriate action against the second and third respondents and insofar as the other grievance is concerned, viz., Food Safety License, the petitioner has to approach the concerned Authorities to set right his grievance in the manner known to law.

6. Accordingly, the Writ Petition is dismissed. There is no order as to costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To
The Commissioner,
Corporation of Chennai,
Rippon Building,
Poonamallee High Road,
Chennai.

+1cc to Mr.Karthikaa Ashok, Advocate, SR.No.36846
+1cc to Mr.D.Manimaran, Advocate, SR.No.36846

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Kak(28/05/2019)