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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2019

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE C.SARAVANAN

Writ Petition No.12533 of 2019
and WMP.No.12801 of 2019

R.Bakkiyalakshmi ...Petitioner

Vs

1. The Commissioner
Corporation of Chennai
Chennai 600 003.

2. The Deputy Commissioner
Health Department,
Rippon Building,
Chennai Corporation,
Chennai 600 003.

3. The Zonal Health Officer,
Zone-10, Chennai Corporation,
No.117, Arcot Road, Kodambakkam,
Chennai 600 024.

... Respondents

Writ Petition filed under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 01.04.2019 and consequently direct the third respondent to return the illegal seizure of 2,250/- school stick bags from M/s.Mettur Super Service No.140, Poonamallee High Road, Mettupakkam, Koyambedu, Chennai to the petitioner.

For Petitioner : Mr.M.Rajendiran

For Respondents: Mr.K.Soundararajan for R1 to R3

O R D E R

[Order was delivered by R.SUBBIAH,J]

The petitioner has filed the above Writ Petition praying for issuance of a a Writ of Mandamus directing the respondents to consider the his representation dated 01.04.2019 and



consequently direct the third respondent to return the illegal seizure of 2,250/- school stick bags from M/s.Mettur Super Service No.140, Poonamallee High Road, Mettupakkam, Koyambedu, Chennai to him.

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2. Heard learned counsel for the petitioner and the learned counsel appearing for the respondents.

3. According to the Petitioner, he is running a small agency in the name and style of "DHARANEESH SYNERGIZERS". He is doing business for school bags and uniforms and earning small amount. Since the third respondent has illegally seized Sticks bags, totally 2,250 bags, worth Rs.85,750/- from the petitioner's agency, the petitioner has filed the said representation, dated 01.04.2019 for return of the said bags.

4. When the matter is taken up for consideration, it is represented by the learned counsel for the petitioner that the third respondent has illegally seized the bags from the petitioner's shop/agency, which are banned items and the petitioner requested to return the bags to them.

5. It is seen that the Government had passed an order in G.O. Ms. No.84, Environment and Forest (EC.2) Department, dated 25.06.2018, banning the plastic items. This Court, in a similar nature of writ petitions in batch of cases, has upheld the said G.O. and disposed of batch of cases in W.P.No.33453 of 2018, etc., on 11.07.2019 and thereby banned the plastic and related materials. The issue involved in this Writ Petition is covered by the said order passed by this Court in the said batch of Writ Petitions, and hence, the present Writ Petition is liable to be dismissed.

6. Accordingly, the present writ petition stands dismissed. No costs. Consequently connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

dpq

To

1. The Commissioner
Corporation of Chennai
Chennai 600 003.



2. The Deputy Commissioner
Health Department,
Rippon Building,
Chennai Corporation,
Chennai 600 003.

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3. The Zonal Health Officer,
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Chennai 600 024.

+1cc to Mr. K.Soundararajan, Advocate, S.R.No. 59651

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PA(CO)
GN(08/08/2019)