

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.09.2019

CORAM

THE HONOURABLE DR. JUSTICE **G. JAYACHANDRAN**

CONT.P.No.1049 of 2019

J.Sridharan

.. Petitioner

Versus

1.G.Prakash, I.A.S.,
The Commissioner,
The Greater Chennai Corporation,
Rippon Building,
Chennai-600 003.

2.S.Anitha,
The Assistant Commissioner,
Zone IX
Greater Chennai Corporation,
No.1, Lake Area 4th Cross Street,
Nungambakkam,
Chennai-600 034.

3.Mr.Gothandam,
The Junior Engineer,
Nandhanam Division,
No.1, Greenways Road,
Chennai -28.
Now at No.122 Division, K.P.Dhasan Road,
Chennai-600 018.

.. Respondents

Contempt petition filed under section 11 of the Contempt of Courts Act,1971, to punish the respondents for contempt of Court for their willfully and deliberately disobeying the orders passed by this Court in W.P.No.24321 of 2018 dated 04.10.2018.

For Petitioner : Mr.K.Sasindran
No Appearance

For Respondents : Dr.C.Ravichandran

ORDER

The petitioner, alleging non-compliance of the order passed in W.P.No.24321 of 2018 dated 04.10.2018, came forward to file the present contempt petition.

2 Today, there is no representation for the contempt petitioner.

3 The learned counsel appearing for the contemnor/respondents would submit that the petitioner herein during the enumeration of the street vendor, location has been given in K.B.Dasan Road as vending location and business is shown as fish selling. Suppressing this fact, he has filed another writ petition in W.P.No.24427 of 2018 alleging that he is carrying on business at Rathna Nagar, Teynampet, Chennai and he should not be disposed of by the respondent. In such circumstances, this Court has passed the following order:-

"8.In the light of the above position and having regard to the facts and circumstance of the case, this court is inclined to dispose of the writ petitioner with the following directions:-

(i) The petitioner is permitted to submit his application if so desires, before the Town Vending Committee to be constituted and on such application, the Committee shall consider

the request of the petitioner for the grant of such license/permission and pass suitable orders on merits and in accordance with law within a reasonable time.

(ii) Until such final decision is taken by the Town Vending Committee, the respondents are directed not to interfere with the business of the petitioner in the bunk shop and the respondents shall act according to the decisions to be taken by the Town Vending Committee on the application of the petitioner."

Now alleging that the petitioner was removed from the place in spite of the order, he has filed the present contempt petition.

4 The learned counsel appearing for the contemnor/respondents submits that the petitioner was carrying on fish vending business at Rathna nagar, near Appollo hospital. Since it was causing heath hazards to the patients and general public, the stalls were removed. Hence, there is no intention willfully to disobey the order of this Court. Further, the petitioner has already enumerated by Town Vending Committee for a different location and his request for allotting the shop will be considered by the Committee on merits in due course.

5 Recording the same, the contempt petition is dismissed.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

pl

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

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Smi/10/10/2019

To

1. The Commissioner,
The Greater Chennai Corporation,
Rippon Building,
Chennai-600 003.
2. The Assistant Commissioner,
Zone IX
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