

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2020

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.7619 of 2020

and

WMP No.11390 of 2020

S.Chandresan
Founder President
Koyambedu Food Grains Traders Association
G/B-31 Koyambedu
Chennai-107.

...Petitioner

Vs.

- 1 The Member secretary
Chennai Metropolitan Development Authority
Egmore, chennai-8.
- 2 The Chief Administrative officer
Market Management Committee
Koyambedu Wholesale Market Complex
Koyambedu, Chennai-92.
- 3 The Special Nodal Officer
O/o. Commissioner of Revenue Administration /
Disaster Management and Mitigation
Chepauk, Chennai-5.

- 4 The Commissioner
Greater Chennai Corporation
Park Town,
Chennai-3
- 5 The Commissioner of Police
Vepery, Chennai-7. ...Respondents

This Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the Respondents 1 to 5 to permit the wholesale traders of the Petitioner Association to open and function their Shops Koyambedu Food Grains Traders Association on par with other Separate Shops permitted to function from 11.5.2020 by the State Government information Notification dated 10.5.2020 with complete Secured Precautionary manner as per the advisory guidelines to combat Pandemic disease Covid-19.

For Petitioner : Mr.V.Sundaravadanan

For Respondent-1 : Mr.S.Thiruvengadam
Standing Counsel

For Respondent-2 : Mr.Ramesh Srinivas

For Respondents 3 & 5 : Mr.K.Parameshwaran
Government Advocate

For Respondent-4 : Mrs.Karthika Ashok
Standing Counsel

ORDER

This Writ Petition was filed for a direction to the respondents to permit the whole sale traders to run their food grain business at Koyambedu Market. This direction was sought for since the market was closed in May 2020 and till date the same has not been opened and it involves the livelihood of many traders, who are out of business for nearly three months.

2. Mr.S.Thiruvengadam, learned Standing Counsel appearing on behalf of the first respondent submitted that the State Government was forced to take a decision to close down the Koyambedu Market since it became the main source for the

spread of Corona Virus. The learned counsel further submitted that some alternative places were also suggested for the food grain traders and the same was not acceptable to them. The learned counsel further submitted that the State Government has taken a decision to reconsider the earlier decision and therefore, several meetings are conducted to see if the earlier decision requires any review. The learned counsel also circulated a copy of the counter affidavit of the first and second respondents through e-mail, wherein the entire scenario has been explained and reasons have been assigned as to why the Koyambedu Market cannot be opened considering the public interest.

3. The learned counsel for the petitioner association submitted that the State Government has proceeded to consider in reviewing the earlier decision taken by it and after having a meeting with the officials, circular has been issued by the State

Government, whereby the food grains market is proposed to be opened on 18.09.2020. The learned counsel submitted that various conditions have been imposed in the circular and the association will independently make representation to the concerned authority, if they require any modification in the condition.

4. In view of the subsequent development that has been taken place in this case, no further orders are required to be passed in this Writ Petition and this Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

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Internet: Yes

Index : Yes/No

Speaking/Non speaking order

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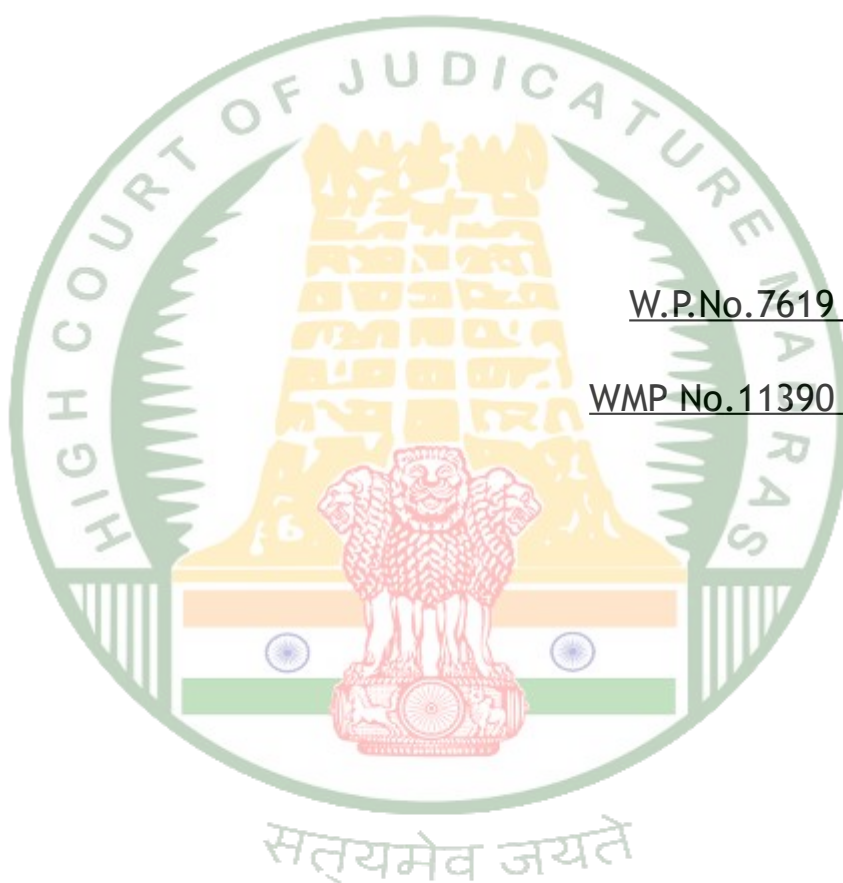
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