

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.8915 of 2020

Chennai Pushpa Viyabarigal and
Commission Agentugal Sangam,
represented by its President Mr.Uthappan,
No.18/2, Gangaianman Koil Street,
T.Nagar,
Chennai 600 017.

and also at
FA-11, Kamarajar Malar Angadi,
Koyambedu,
Chennai 600 092. Petitioner

Vs.

- 1.Government of Tamil Nadu,
represented by its Secretary,
Housing and Urban Development Department,
Fort St. George, Chennai 600 009.
- 2.The Member Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road,
Egmore, Chennai-600 008.
- 3.The Chief Executive Office,
Market Management Committee,
Koyambedu, Chennai-600 092. ... Respondents.

PRAYER: Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus, directing the respondents to either open Koyambedu Kamarajar Flower Market or to establish suitable alternative temporary flower market with adequate facilities within a time frame fixed by this Court.

For Petitioner : Mr.M.V.Seshachari

For Respondents : Mr.S.N.Parthasarathi, for R1
Government Advocate.
Mr.S.Thiruvengadam, for RR2 & 3
Standing Counsel

O R D E R

This Writ Petition has been filed for a direction to the respondents to permit the petitioner Sangam to run a flower market at Koyambedu or to give an alternate place to conduct the flower business.

2.The learned counsel for the petitioner submitted that there are 470 shops at Koyambedu market, where flower business was conducted and which involved the livelihood of nearly 3000 persons engaged in loading the goods, distribution, sale of flowers etc and also 10,000 farmers, who used to supply flowers on a daily basis.

3.The petitioner Sangam wants the respondents to consider their request to atleast accommodate them at an alternate place till normalcy is restored.

4.Mr.K.Thiruvengadam, learned standing counsel appearing on behalf of the 2nd and 3rd respondents submitted that earlier an offer was made to one other Sangam to have their flower market located at Madhavaram and they were not willing to go to Madhavaram to do the business. The learned counsel further submitted that there is no question of opening Koyembedu Market for the present and similar such requests has already been rejected by this Court. The learned counsel fairly submitted that the respondents are aware about the hardship faced by the flower vendors. Therefore, even now it is open for the petitioner Sangam to make a fresh representation to the 2nd and 3rd respondent seeking for an alternative place to conduct their business. The learned counsel submitted that the representation will be sympathetically considered and a decision will be taken within the time fixed by this Court.

5.The learned counsel for the petitioner submitted that the representation will be submitted by the petitioner Sangam and also by individual vendors and the same can be considered by the respondents as early as possible since it involves the livelihood of thousands of small time flower vendors and cultivators.

6.Taking into consideration, the facts and circumstances of the case and the stand taken by the respondents, there shall be a direction to the petitioner to submit a fresh representation to the 2nd and 3rd respondent expressing their willingness to go to an alternate place to conduct the business. The representation shall specifically contain the particulars of how many persons are going to do the flower business in order to enable the respondents to take an effective decision. The 2nd and

3rd respondents on receipt of the representations made by the petitioner, shall take a decision within a period of two weeks from the date of receipt of the representations.

7.This writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.Government of Tamil Nadu,
represented by its Secretary,
Housing and Urban Development Department,
Fort St. George, Chennai 600 009.

2.The Member Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road,
Egmore, Chennai-600 008.

3.The Chief Executive Office,
Market Management Committee,
Koyambedu, Chennai-600 092.

RV(CO)
RMP(31/08/2020)

W.P.No.8915 of 2020

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