IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.P.No. 8949 of 2020

A.Kannabiran .. Petitioner

Vs

1.The Member Secretary,
CMDA, Thalamuthu Natarajan Maaligai,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 600 008.

2.The Chief Executive Officer,
CMDA, Thalamuthu Natarajan Maaligai,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 600 008.

3.The Chief Administrative Officer,
Market Managing Committee,
Koyambedu Whole Sale Market Complex,
Koyambedu, Chennai - 600 107 .. Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to permit one group of allottees in ground floor and first floor of Madhavaram Bus Depot to do fruits business on Monday in ground floor and other group of allottees to do fruits business on Tuesday in ground floor i.e., on alternative days, for the livelihood of the agriculturists, wholesalers, retailers and allottees etc., which may ultimately lead floating of money and boost up the economy and pass on benefits to general public etc., based on the petitioner's representation dated 26.06.2020.

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For Petitioner .. Ms.T.Dharani
For Respondents .. Mr.P.S.Ganesh for R1,R2

ORDER
(Order of the Court was made by M.M.SUNDRESH, J.)

This writ petition has been filed as a public interest litigation by a person who ostensibly represents one group of

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fruit vendors who have been allotted to do the vending from the first floor as the ground floor was occupied by the other vendors who have been allotted on the first-cum-first-allottment basis. Therefore, the petitioner tried to espouse the cause of those who are reluctant to come at the first instance but hesitatingly came later and, therefore allotted the first floor which obviously causes some inconvenience in doing their business. Incidentally, the petitioner states that it will also reduce the congestion.

2. We have heard the learned counsel appearing for the parties.

3. As rightly submitted by the learned counsel appearing for respondents 1 and 2, we do not find any public interest involved in this writ petition. The petitioner clearly seeks to canvass the cause of those fruit vendors who have been doing business from the first floor as against the others who have been allotted in the ground floor and thus having the distinct advantage. We may note that the fruit vendors who have been allotted in the ground floor having come at the earliest point of time are also not before us. Therefore, looking from any perspective, the prayer sought for in the writ petition cannot be granted. However, taking into consideration the submissions made and without going into the merits of the case, we only direct the respondents to look into the representation of the petitioner insofar as keeping the social distancing is concerned and dispose of the same, within a period of four weeks from the date of receipt of a copy of this order.

4. With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

mmi/ssm

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To

1.The Member Secretary,
CMDA, Thalamuthu Natarajan Maaligai,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 600 008.

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2.The Chief Executive Officer,
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Egmore, Chennai - 600 008.

3.The Chief Administrative Officer,
Market Managing Committee,
Koyambedu Whole Sale Market Complex,
Koyambedu, Chennai - 600 107.

+1cc to Mr.T.Dharani, Advocate, S.R.No. 25491

W.P.No.8949 of 2020

SSV(CO)
GN(07/08/2020)

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