



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 14.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.14411 of 2021

M/s Sri Periyasamy Flour Mill,
rep by its Proprietor/Owner
Mrs. M.Chitra Devi,
No.16/78, Kappalpolu Street,
Oldwashermenpet, Chennai 600 021. Petitioner

Vs.

- 1.The Commissioner,
The Greater Chennai Corporation,
Rippon Buildings, Park Town,
Chennai 600 003.
2. The Zonal Officer, Zone-V, Royapuram,
The Greater Chennai Corporation,
Kondandaraman Street,
Oldwashermenpet,
Chennai 600 021. ... Respondents

Prayer: Writ petition filed under Section 226 of the Constitution of India to issue a writ of Mandamus directing the respondents to consider the representation dated 29.06.2021 and to issue trade license to the petitioner.

For petitioner : Mr.S.Aravind Raj

For respondents : Mrs. P.T.Ramadevi (Corporation)
for R1 and R2

ORDER

This writ petition has been filed to issue a writ of Mandamus directing the respondents to consider the representation dated 29.06.2021 and to issue trade license to the petitioner.

2. The contention of the petitioner is that she is the owner of Sri Periyasamy Flour Mill consists of two Grinders, both run on a single eight Horse Power Motor, one is for grinding chillies and another is for grinding flours. Apart from this, one small grinder is also there for grinding idly flour. She had obtained registration Certificate from the Tamil Nadu Food Safety and Drug Administration Department with the registration No.2242052300181 for the above said



mill on 12.10.2020 and she had given application dated 15.10.2020 to the second respondent for issuance of the Trade License and Professional Tax for the Mill. However, the second respondent had not issued the above said license. When the petitioner enquired, they replied that, after approval of the Committee, they will issue the license. After that the respondent's officials were busy with the election work and thereafter engaged in the duty of preventing Covid-19 second wave. Subsequently, the petitioner has approached the second respondent and given representation on 29.06.2021 and requested for speedy issuance of trade License, however, it was not issued so far. Hence this writ petition.

3. The learned counsel appearing for the petitioner submitted that initially, the petitioner had run the mill, but subsequently, on instructions, the mill was closed. He further submitted that the period of validation and renewal of the registration certificate is from 12.10.2020 to 11.10.2021 and if the Trade license is not issued at the earliest, the petitioner is put to great hardship in continuing her business, especially in this pandemic situation, she is depending upon the income through this business for her livelihood.

4. The learned Standing Counsel appearing for the respondents submitted that the respondents have received the application 15.10.2010 and the respondents will consider the same in accordance with the provisions of Law.

5. A perusal of the records shows that though the respondents have received the application dated 15.10.2020 given by the petitioner for issuing Trade License to run the flour Mill, they have not considered it so far. After receipt of the application for issuance of license, the respondents have to take decision on them in one way or other, within the prescribed time. But the petitioner has been running from Pillar to Post for getting the Trade License from the Corporation.

6. At this juncture the learned counsel appearing for the respondents/ Corporation submitted that due to the present pandemic situation, the authorities were engaged in the other duties i.e. Lock down works, which relating to the public cause and hence, they have taken some more time to consider the application of the petitioner.

7. Accepting the contention of the learned counsel appearing for the respondents and also considering facts and circumstances of the case and the submissions made by the learned counsel appearing for the petitioner, the first respondent/ Commissioner of Corporation is directed to give appropriate direction to the authorities concerned that whenever, they received applications under the Provisions of Act for granting license, the applications should be



considered, within the prescribed time and pass appropriate orders in one way or other, because, without disposing and keeping the applications pending, resulting into give more loss and hardships to the applicants and therefore, considering this aspect, the Commissioner of Corporation should take appropriate actions.

8. In the light of the above discussions, the second respondent is directed to consider the application dated 15.10.2020 given by the petitioner and pass orders on merits, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. It is also open to the respondents that if they wanted any necessary documents to consider the application, they will ask the same from the petitioner.

9. With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

mst

To

1. The Commissioner,
The Greater Chennai Corporation,
Rippon Buildings, Park Town,
Chennai 600 003.
2. The Zonal Officer, Zone-V, Royapuram,
The Greater Chennai Corporation,
Kondandaraman Street, Oldwashermenpet,
Chennai 600 021.

+1cc to Mr.D.Saravanan, Advocate, S.R.No. 33587
+1cc to Mr.P.T.Ramadevi, Advocate, S.R.No. 33185

W.P.No.14411 of 2021

GSM(CO)
GN(09/08/2021)