



W.P.No.8103 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2023

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.8103 of 2023

P.S.Palani

.. Petitioner

-vs-

1. The Commissioner
Greater Chennai Corporation
Rippon Buildings
Chennai 600 003

2. The Executive Engineer
Zone-V, Greater Chennai Corporation
Basin Bridge
Chennai 600 021

.. Respondents

Petition under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to remove the encroachment of the bunk shop, measuring 7 feet in height, 6 feet in width and 8 ½ feet in length, put up in the middle of the street of Hussain Sahib Street, Sowcarpet, Chennai 600 001, within a time frame to be stipulated by this Hon'ble Court.



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For Petitioner :: Mr.W.M.Abdul Majeed
For Respondents :: Mr.A.Arun Babu
Standing Counsel for R1 & R2

ORDER

(Order of the Court was made by the Hon'ble Acting Chief Justice)

This writ petition has been filed seeking for issuance of a mandamus directing the respondents to remove the encroachment of the bunk shop, measuring 7 feet in height, 6 feet in width and 8 ½ feet in length, put up in the middle of Hussain Sahib Street, Sowcarpet, Chennai.

2. Learned Standing Counsel appearing for the respondents submitted that since G.Revathy has filed the Writ Petition No.5935 of 2023 for issuance of a mandamus forbearing the respondents from evicting her from the bunk shop situated at No.A3, Hussain Sahib Street, NSC Bose Road, Edapalayam, Chennai and obtained a restraint order on 27.02.2023 from this Court, this writ petition at the instance of the petitioner seeking removal of the said bunk shop is not legally maintainable.



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3. The order passed by this Court in Writ Petition No.5935 of 2023 dated 27.02.2023 reads as follows:-

“5. In view of the above, the petitioner is directed to give a representation to the 2nd respondent in a prescribed form as per the provisions of Section 279 of Chennai City Municipal Corporation Act, 1919, within a period of four weeks from the date of receipt of a copy of this order. Till the Street Vending Committee is formed and the application of the petitioner is considered and orders passed, the respondents are restrained from taking any coercive steps against the petitioner.

With the above directions, the writ petition is disposed of....”

In the light of the above, this writ petition is dismissed, as nothing survives for adjudication. Consequently, W.M.P.No.8356 of 2023 is also dismissed. There shall be no order as to costs.

Speaking/Non speaking order

(T.R.,A.C.J.) (D.B.C.,J.)

Index : yes/no

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To

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THE HON'BLE ACTING CHIEF JUSTICE
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