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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2023

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.15994 of 2023

Mr.S.Sumermull Baid

Petitioner

vs.

1. The Commissioner,
Corporation of Chennai
Rippon Buildings, Park Town,
Chennai 600 003.

2. The Assistant Revenue Officer,
IX th Zone, Corporation of Chennai,
Valluvarkottam, Chennai.

3. Sahul Hameed

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 2nd respondent to consider the representation of the petitioner seeking not to grant trade licenses to the 3rd respondent to run eatery intended to serve non-vegetarian items in Door No.43/1, Bazaar Road, Mylapore, Chennai - 600 004.

For Petitioner : Mr.R.Ramachandran

For Respondents : Mrs.P.T.Ramadevi



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Standing Counsel for
R1 and R2

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the 2nd respondent to consider the representation made by the petitioner wherein the petitioner has requested the 2nd respondent not to grant any trade license to the 3rd respondent to serve non-vegetarian food in the subject property.

2. Heard Mr.R.Ramachandran, learned counsel appearing on behalf of the petitioner and Mrs.P.T.Ramadevi, learned Standing Counsel appearing on behalf of the respondents.

3. The main grievance that has been expressed by the petitioner is that the 3rd respondent is running a small shop in Door No.43/1, Bazaar Road, Mylapore, Chennai -4 and is serving non-vegetarian food to the customers. The petitioner who follows Jainism



is not comfortable with the business that is carried on by the 3rd respondent and it certainly puts the petitioner to some hardship. The further grievance of the petitioner is that the 3rd respondent is running the business without obtaining any license from the 2nd respondent.

4. Insofar as the 1st grievance that has been raised by the petitioner, the same is clearly unsustainable. The petitioner cannot dictate as to whether an eatery should serve only vegetarian food and that serving of non-vegetarian food is causing nuisance to the petitioner and the nearby residents. Eating vegetarian or non-vegetarian food is a matter of choice and nobody has the right to dictate which food should be served or eaten by others. If the petitioner is a pure vegetarian, the petitioner can follow his belief and life style and he should not be permitted to propagate or impose it on others. Hence, the grievance of the petitioner that the 3rd respondent is doing business by running an eatery serving non-vegetarian food, by no stretch can be called as illegal and at the best, it is only causing discomfort to the petitioner.



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5. Insofar as the 2nd grievance that has been raised by the petitioner to the effect that the 3rd respondent is running the eatery without any license, it is left open to the Corporation to verify if the eatery is being run without license and if so, they shall take action in the manner known to law.

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

05.06.2023

Index : Yes/No

Internet : Yes/No

Speaking Order/Non-Speaking Order

Neutral Citation Case : Yes/No

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To

1. The Commissioner,
Corporation of Chennai
Rippon Buildings, Park Town,
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2. The Assistant Revenue Officer,
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N. ANAND VENKATESH, J.

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