



W.P.No.7079 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

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Koyambedu Kaai, Kani, Malar Viyabarigal Nalasangam,
rep. by its President M.Thiyagarajan,
4, Anna Main Road, Jayalakshmi Nagar,
Nerkundram, Chennai-600 107.

.. Petitioner

Vs

- 1.The Member Secretary,
Chennai Metropolitan Development Authority,
Gandhi Irwin Road, Egmore,
Chennai.
- 2.The Chief Executive Officer,
Chennai Metropolitan Development Authority,
Gandhi Irwin Road, Egmore,
Chennai.
- 3.The Chief Administrative Officer,
Koyambedu Wholesale Market Complex,
Koyambedu, Chennai.
- 4.N.P.Sakthivel
- 5.K.R.Srinivasan
- 6.Y.Lavanya



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7.Y.Devendrakumar Reddy
8.B.Veerammal
9.M.Alangaram
10.L.C.Kamalam
11.D.L.Saravanan
12.R.Arulmozhi
13.P.Raja
14.M.Senthilkumar
15.K.Ramanatha Reddy
16.Baskara Reddy
17.V.Rajendran
18.R.Vimala
19.K.Muthukumar
20.P.S.Muralidharan
21.G.Naresh
22.T.Saleem
23.G.Kajamohideen
24.T.Kaleem
25.V.Veera Reddy
26.T.Ramaraja Pandian
27.A.Devaraj
28.Y.Venkata Subba Reddy
29.A.Marudhachalam

.. Respondents

(Respondents 4 to 29 impleaded as per the order dated 26.4.2016 made in WMP Nos.13117, 13127 and 13555 of 2016)

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents not to allot any portion/shops which was constructed by the respondents by converting the loading and unloading (ramp) area near Gate No.5 numbering about 29, Thanthai Periyar Vegetable Market in Koyambedu Wholesale Market Complex, Koyambedu, Chennai-600 092 to any individuals and direct the first respondent



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to restore the amenity of loading and unloading (ramp) to the traders of the KWMC (Koyambedu Wholesale Market Complex).

For the Petitioner : Mr.Su.Srinivasan

For the Respondents : Mr.P.Kumaresan
Addl. Advocate General
assisted by
Mrs.P.Veena Suresh
Standing Counsel
for respondents 1 and 2

: Mr.M.Loganathan
for respondents 4 to 12

: Mr.J.Hariharan
for respondents 13 to 21

: Mr.Rahul Balaji
for respondents 26 to 29

ORDER

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

We have heard Mr.Su.Srinivasan, learned counsel for the petitioner; Mr.P.Kumaresan, learned Additional Advocate General, assisted by Mrs.P.Veena Suresh, learned Standing Counsel for



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respondents 1 and 2; Mr.M.Loganathan, learned counsel for respondents 4 to 12; Mr.J.Hariharan, learned counsel for respondents 13 to 21 and, Mr.Rahul Balaji, learned counsel for respondents 22 to 29.

2. The Member Secretary, Chennai Metropolitan Development Authority has filed the status report.

3. Paragraphs 23 to 25 of the report read thus:

"23. I submit that though in the counter filed by CMDA it has been stated that CMDA proposed to convert the 29 shops into service shops, but for the aforementioned reasons stated in the preceding paras of this status report, CMDA does not want go against the original plan, and bring about changes in the Master Plan, or to alternate the plan and utilize the space for putting up construction for the Government agency, or for service shops, as the demand for the space for loading and unloading inside the Market area in on the rise. Hence, at this stage, to minimize the congestion in the Market area,



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the open space for the loading and unloading as per the Master plan is certainly required.

24. I submit that the Master Plan copy of Koyambedu and photos of the loading and unloading area are attached herewith for the perusal of the Hon'ble High Court.

25. It is therefore submitted that the CMDA conclusively proposes to retain the said place as per the Original Plan for the purpose of loading and unloading."

4. In the light of the status report filed, nothing would survive in the present writ petition.

5. In case, the respondents are aggrieved by the same, it is open for them to assail in accordance with law in appropriate proceedings. In that event, the contentions of the respective parties are kept open.



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6. With the aforesaid observations, the writ petition is disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

18.07.2023

Index : Yes/No
Neutral Citation : Yes/No
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THE HON'BLE CHIEF JUSTICE
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