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W.P.No.31867 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2023

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.31867 of 2017

P.Mangaibahan

... Petitioner

VS.

1.The Chennai Metropolitan Development Authority,
represented by its Member Secretary,
No. Gandhi Irwin Road,
Egmore, Chennai-600 008.

2.The Market Management Committee of
Koyambedu Market,
represented by its Chief Administrative Officer,
Koyambedu Market Complex,
Chennai-600 092.

3.P.M.Sebastian

4.P.Senthil Kumar

5.P.Manoharan

6.Mary Rani Sebastian

7.Selma Binoy

1/6



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8.Kochurani Sebastian

9.Mathew Sebastian

10.Smruthy Sebastian

11.Celine Sebastian

... Respondents

(R6 to R11 are impleaded as per order dated 15.12.2017
in W.M.P.No.35660 of 2017 in W.P.No.31867 of 2017)

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to cancel the allotment of shop No.H-88 in favour of the third respondent and cancel the allotment in favour of the 4th respondent in Shop No.H-37 and the 5th respondent in Shop No.H-109 any other such allottees who have been allotted more than one shop and who have subdivided the allotted shop against the policy of the first and second respondents and consequently direct the respondents 1 and 2 to allot the shop to the petitioner under the provisions of Section 22 of Tamil Nadu Specified Commodities Act 24 of 1996 by taking into consideration that the petitioner is a registered wholesale trader.

For Petitioner : Ms.S.Suneetha

For R1 : M/s.Veena Suresh
Standing Counsel for CMDA



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For R2 : Mr.C.N.Vinobha
Standing Counsel for MMC

For R3, R7 to R11 : Mr.Richardson Wilson

ORDER

The petitioner herein has come up with this writ petition seeking issuance of Writ of Mandamus, directing the respondents 1 and 2 to cancel the allotment of shops in favour of the respondents 3 to 5 and other such allottees who have been allotted more than one shop and who have subdivided the allotted shop against the policy of the 1st and 2nd respondents and consequently, to direct the respondents 1 and 2 to allot the shop to the petitioner under the provisions of Section 22 of Tamil Nadu Specified Commodities Act 24 of 1996 by taking into consideration that the petitioner is a registered wholesale trader.

2. When the matter is taken up for hearing, the learned counsel appearing for the petitioner confined her grievance by stating that if the representation of the petitioner dated 12.10.2015 is directed to be



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considered by the 1st respondent, the petitioner will be satisfied. The said statement of the petitioner is recorded.

3. In view of the same, the 1st respondent is directed to consider the representation of the petitioner dated 12.10.2015 and pass final orders on merits and in accordance with law, after issuing notice to the petitioner as well as respondents 3 to 11, within a period of twelve weeks from the date of receipt of copy of this order.

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

13.09.2023

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm



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To

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S.SOUNTHAR, J.

dm

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