



W.P. No. 34703 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2023

CORAM

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

W.P. No. 34703 of 2023

and

W.M.P. No. 34665 of 2023

Premier Polymers
Represented by its Proprietor
U.Sanjayan, No.339, Arcot Road
Kodambakkam, Chennai-600024.

... Petitioner

-VS-

1. The Secretary to Government
Housing and Urban Development Department
Secretariat, Fort St. George, Chennai-600009.
2. Greater Chennai Corporation
Rep. By its Commissioner
Ripon Building, Chennai – 600009.
3. The Executive Engineer
Zone – 8, Greater Chennai Corporation
Chennai.

4. Malini Ravindran

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Second and Third Respondents to de-seal the Petitioner's shop situated at No.339, Arcot Road, Kodambakkam, Chennai – 600 024 and permit the Petitioner to carry his business till the pending final determination of Petitioner's appeal petition dated 30.10.2023 in SR No.37528 on the file of the First Respondent.



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For Petitioner : Mr. N.Ganesh

For Respondents : Mr. U.Baranidharan, AGP (R1)

Mrs. P.T.Ramadevi (RR2 & 3)

ORDER

Heard Mr. N.Ganesh, Learned Counsel for the Petitioner, Mr. U.Baranidharan, Learned Additional Government Pleader, who takes notice for the First Respondent and Mrs. P.T.Ramadevi, Learned Counsel, who takes notice for the Second and Third Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The application for grant of trade licence made by the Petitioner under Section 114 of the Tamil Nadu Urban Local Bodies Act, 1998 (hereinafter referred to as 'the Act' for short) for carrying on business at the Shop No. 339, Arcot Road, Kodambakkam, Chennai – 600024, was rejected by the Second Respondent by Proceedings dated 08.10.2023 stating that 'No Objection' Certificate from the landlord and other particulars have not been furnished.

3. The Petitioner had on 30.10.2023 preferred an appeal in S.R. No. 37528



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before the Director of Municipal Administration, Government of Tamil Nadu, Chennai, under Section 115 of the Act against the said order. In that backdrop, the Petitioner has filed this Writ Petition for directing the Second and Third Respondents to de-seal the said shop and permit him to carry on his business till the final determination of the said appeal.

4. Since the Petitioner could seek the relief sought in this Writ Petition in an application in the pending appeal before the Director of Municipal Administration, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition reserving the right of the Petitioner to resort to the aforesaid procedure and he has made an endorsement to that effect in the court record.

In fine, the Writ Petition is dismissed as withdrawn with the aforesaid clarification. Consequently, the connected Miscellaneous Petition is closed. No costs.

21.12.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 31.01.2024.

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P.D. AUDIKESAVALU, J.

Maya

To

1. The Secretary to Government
Housing and Urban Development Department
Secretariat, Fort St. George, Chennai-600009.
2. Greater Chennai Corporation
Rep. By its Commissioner
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