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W.P.No.12149 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.12149 of 2024

B.Faizal

... Petitioner

-Vs-

1. The Commissioner,
Greater Chennai Corporation,
Park Town, Chennai -600 003.

2. The License Inspector,
Greater Chennai Corporation,
Park Town, Chennai -600 003.

3. Guruswamy

4. Geethalakshmi

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the second respondent to remove the seal and consequently direct the second respondent to issue the trade license without insisting NOC from third and fourth respondents, if it is otherwise in order.

For Petitioner : M/s S.Annakkdoi
For R1 and R2 : Mrs.P.T.Rama Devi



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ORDER

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This writ petition has been filed for direction directing the second respondent to remove the lock and seal and consequently direct the second respondent to issue the trade license without insisting NOC from third and fourth respondents, if it is otherwise in order.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondents 1 and 2 and perused the materials available on record.

3. The petitioner is a lessee under third and fourth respondents for the purpose of running business in the name and style of “Timpily Traders” under portion at No.2, Dr.Natesan Road, Ice-House, Chennai – 600 005. However, the lease agreement entered between the petitioner and the respondents 3 and 4 for the said portion had expired in the month of October, 2021 itself. The trade license which was issued in favour of the petitioner was also expired on 31.03.2022. Subsequently, it was not renewed and the premises was kept under lock and seal, since the period of lease was not extended by the third and fourth respondents. Therefore, the second respondent insisted for No Objection Certificate from the third and fourth respondents to renew the trade license of the petitioner.



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4. In view of the above, the petitioner is at liberty to approach the licensing authority by producing the lease agreement for the portion which is in occupation of the petitioner and seek for license. On the said request, the second respondent is directed to consider the same on merits and in accordance with law.

5. With the above directions, this writ petition is disposed of. There shall be no order as to costs.

19.08.2024

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

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G.K.ILANTHIRAIYAN. J.

mn

To

1. The Commissioner,
Greater Chennai Corporation,
Park Town, Chennai -600 003.
2. The License Inspector,
Greater Chennai Corporation,
Park Town, Chennai -600 003.

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