



WEB COPY

WP NO. 2640 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **22-04-2025**

CORAM

THE HONOURABLE MR JUSTICE J.SATHYA NARAYANA PRASAD

WP No. 2640 of 2025 and WMP Nos.2951, 2952 and 2955 of 2025

V.Arul

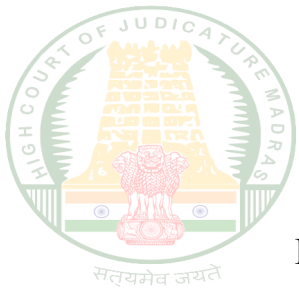
Petitioner

Vs

1. The Member Secretary,
Chennai Metropolitan Development Authority, (CMDA),
"Thalamuthu Natarajan Buildings",
No.1, Gandhi Irwin Road, Egmore,
Chennai-600 008.
2. The Chief Administrative Officer,
Market Management Committee,
No.G-84, Periyar Vegetable Market,
Koyambedu,
Chennai-600 092.
3. K.K.Sheik Abdulla
- 4.K.K,Soniya Banu

Respondents

Writ Petition filed under Article 226 of Constitution of India praying this Court to issue a writ of certiorarified mandamus to call for the records and quash the impugned order passed by the second respondent herein dated 24.01.2024 vide cancellation of License vide Se.Mu.Aaanai No.ANIKU/A2/1682/2006 and direct the respondents 1 and 2 to allow the petitioner to continue to run the shop.



WEB COPY

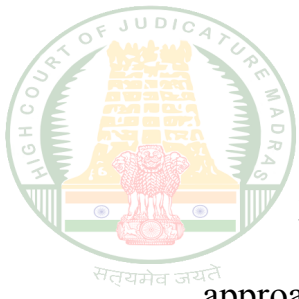
For Petitioner : Mr.N.Kumar

For Respondents : Mr.Akhil Akbar Ali
Standing Counsel
For R.1
Mrs.P.Veena Suresh
For R.2
Mr.K.Balasubramanian
For R.3 and R.4

ORDER

The petitioner has filed the writ petition seeking for issuance of a writ of certiorarified mandamus to call for the records and quash the impugned order passed by the second respondent herein dated 24.01.2024 vide cancellation of License vide Se.Mu.Aaanai No.ANIKU/A2/1682/2006 and direct the respondents 1 and 2 to allow the petitioner to continue to run the shop.

2. The case of the petitioner is that the petitioner was the license holder of a vegetable shop at Koyambedu vide Shop No.J-73 and he has been running the shop from the year 1998 and he has a valid license. Unfortunately, the shop was sealed by the second respondent stating that the petitioner has violated Clause 21 of Tamil Nadu Shops and Establishments Act, 1947.

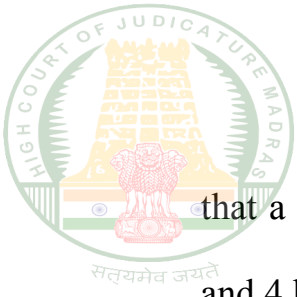


WEB COPY

3. It is the further case of the petitioner that the petitioner approached the Chennai Metropolitan Development Authority in the year 1998 for the registration of the shop in his name. Unfortunately, during that time, the Rules were not framed to execute the Sale Deed in favour of the allottees and all the amounts pertaining to the shop was paid by the petitioner till 2024.

4. It is the further case of the petitioner that in the month of January 2024, the second respondent cancelled the petitioner's shop without conducting proper enquiry and sealed the shop and in the meantime, the respondents 3 and 4, with the help of third parties, had approached the respondents 1 and 2 and tried to transfer the property in their name. The petitioner submitted a representation dated 29.07.2024 to the respondents 1 and 2 to restore his shop but the same was rejected by the first respondent by order dated 03.09.2024 and the petitioner came to know that the respondents 3 and 4 had given a letter to the respondents 1 and 2 to transfer the license in their name. Hence the petitioner has filed the present writ petition.

5. Learned counsel appearing for the respondents 3 and 4 submits



WEB COPY

that a sale deed has already been executed in favour of the respondents 3 and 4 by the first respondent vide Sale Deed Document No.329 of 2025 on the file of SRO, Anna Nagar and therefore, nothing survives for further adjudication.

6. However, learned counsel for the petitioner seeks permission of this Court to withdraw the writ petition with liberty to challenge the Sale Deed Document No.329 of 2025 on the file of SRO, Anna Nagar, in the manner known to law. Learned counsel for the petitioner has also made an endorsement to that effect in the court bundle.

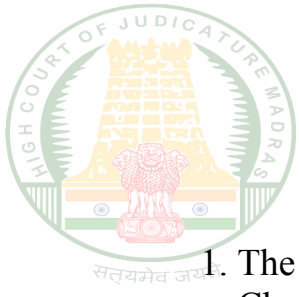
7. Permission is granted. In view of the endorsement made by the learned counsel for the petitioner, the writ petition is dismissed as withdrawn with liberty to challenge the Sale Deed Document No.329 of 2025 in the manner known to law. No costs. Consequently, connected miscellaneous petitions are closed.

22-04-2025

sr
Index:yes/no
website:yes/no

To

4/6



WEB COPY

1. The Member Secretary,
Chennai Metropolitan Development Authority, (CMDA),
"Thalamuthu Natarajan Buildings",
No.1, Gandhi Irwin Road, Egmore,
Chennai-600 008.

2. The Chief Administrative Officer,
Market Management Committee,
No.G-84, Periyar Vegetable Market,
Koyambedu,
Chennai-600 092.



WEB COPY



J.SATHYA NARAYANA PRASAD.J.,

sr

W.P.No.2640 of 2025

22.04.2025