



W.P.No.5184 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 18.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.5184 of 2025

Chennai Metropolitan Development Authority,
Koyambedu Market Spinach/Green Leaves Wholesale,
Tranders Upliftment Association,
Rep by its Secretary, G.Govindaraju,
Having Office at No.1-10,
Periyar Kaikari Angadi,
Koyambedu, Chennai – 600 092.

...Petitioner

-Vs-

1.Chennai Metropolitan Development Authority,
Rep. by its Member Secretary,
CMDA Office, No.1, Gandhi Irwin Salai,
Egmore, Chennai – 8.

2.The Chief Executive Officer,
Chennai Metropolitan Development Authority,
CMDA Office, No.1, Gandhi Irwin Salai,
Egmore, Chennai – 8.

3.The Chief Administrative Officer,
Chennai Metropolitan Development Authority,
Koyambedu Wholesale Market Complex,
Chennai – 92.

4.The Market Management Committee,
Chennai Metropolitan Development Authority,
Koyambedu Wholesale Market Complex,
Chennai – 92.

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, directing the respondents to allot the vacant 29 shops at Gate No.5 (Service shops) at Koyambedu Market Complex to the members of the petitioner association by considering the representation dated 03.01.2025 within time to be stipulated and pass such further orders.

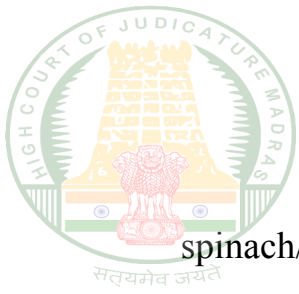
For Petitioner : Mr.R.Chandrasekaran

For Respondents : M/s.Veena Suresh,
Standing Counsel

ORDER

This writ petition has been filed to direct the respondents to allot the vacant 29 shops at Gate No.5 (Service shops) at Koyambedu Market Complex to the members of the petitioner association by considering the representation dated 03.01.2025.

2. The petitioner Association is a registered Association, under the Societies Act, the Registration No.1/1999, its object is to get allotment of shops to its members of the Association at "Koyambedu Market Complex" and at other mercantile places etc. All the members were originally selling



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spinach/green leaves on wholesale and retail basis at Kothawalchawadi, and later on gate No.9 in the Koyambedu Complex, without proper place and shops on a daily rental basis and further nearly for more than 19 years the members of the association were paying daily rent to the 3rd respondent and selling spinach/green leaves at the entrance of gate No.9, without proper shops. And the wholesale Keerai Merchants associations at Koyambedu, represented by the Secretary, requested the respondents to provide shops for them in the open Varandah portion of the vegetable market in KWMC.

3. There are about 120 members who have represented that they are doing "KEERAI WHOLESALE TRADING" in KWMC in an open verandah for several years. The Keerai merchants have agreed and are willing to remit the cost of the shops, either in single payment or in installments fixed by the CMDA. As per the resolution passed by the respondents in Resolution No.AR.No.86/2004 dated 02.07.2004, in which the Keerai Merchants agreed to permit the cost of the shops, either in single payment or in installments fixed by the CMDA, and further, as per the above resolution dated 02.07.2004, it was resolved to allot the open verandah of H, I, K, L, M and N Blocks of vegetable markets of each 149 sq.ft. area to Keerai/Green leaves



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traders for sale. Based on the assurance given by the respondents, at the time of eviction at Kothawalchawadi and thereafter, an advertisement was issued in the newspaper on 15.05.2005, calling for applications from Green Leaves Traders for the allotment of an open verandah. The CMDA Authority called for applications from 23.05.2005 to 30.05.2005. 90% have applied for allotment, and further on 14.05.2009, the shops were allotted to 58 members of the Association by a draw held on 01.06.2005, but the remaining persons have not get the shops from the respondents, and now they are selling green leaves on the Road and Street. It is very difficult for the poor members to do business on the road and streets.

4. Learned counsel appearing for the petitioner association would submit that with regard to the allotment of 29 vacant shops at Gate No.5, the petitioner has submitted representations on 11.11.2024 in which the petitioner has explained the sufferings of the spinach/green leaves merchants and another representation on 10.12.2024, but the respondents have not taken any steps to allot the 29 vacant shops to the petitioner association members to do their spinach/green leaves business. Therefore, the petitioner has submitted representation on 03.01.2025, but no such action has been



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taken by the respondents so far, and the representation is still pending.

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Hence, the present writ petition is filed.

5. Learned standing counsel appearing for the respondents would submit that the representation of the petitioner dated 03.01.2025 would be considered on merits, in accordance with law within a time frame stipulated by this Court.

6. Heard both sides and perused the materials available on record.

7. Without going into the merits of the case, the respondents are directed to consider the representation of the petitioner dated 03.01.2025 after giving due notice to the petitioner association, affording an opportunity of personal hearing to the petitioner association as well as rival claimants/interested parties if any, to take into consideration all the relevant documents submitted by the parties in regard to the subject matter property and pass appropriate orders on merits, in accordance with law thereby following the above principles of natural justice within a period of six (6) weeks from the date of receipt of a copy of this order.



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J.SATHYA NARAYANA PRASAD, J.

In the result, the writ petition stands disposed of with the above
observations and direction. No costs.

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cda

Index : Yes/No

Speaking/Non Speaking order

To

- 1.The Member Secretary,
Chennai Metropolitan Development Authority,
CMDA Office, No.1, Gandhi Irwin Salai,
Egmore, Chennai – 8.
- 2.The Chief Executive Officer,
Chennai Metropolitan Development Authority,
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