



WEB COPY



WP No. 20052 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-06-2025

CORAM

THE HONOURABLE MRS.JUSTICE N. MALA

WP No. 20052 of 2025

S.Devi
W/o. Sakthivel,
No.19, 2nd Floor, Maruthi Nagar
Post,
Thandalam, Thiruvallur District.

.....Petitioner

Vs

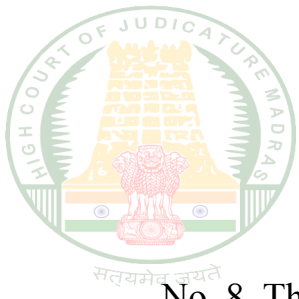
1. Appellate Authority
The Secretary to the Government,
Department of Housing Board and
Rural Development,
St George Fort, Secretariat, Chennai.

2.The Member Secretary
Chennai Metropolitan Development
Authority,
Chennai.

3.The Chief Executive Officer
Market Management Committee,
Koyembedu, Chennai.

4.The Chief Administrative Officer,
District Revenue Officer,
Market Management Committee,
Koyembedu Whole Sale Market,
Koyembedu, Chennai 107.

5.RAJA
S/o. Palanisamy



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No. 8 Thamarai Street, Birndavanam
Nagar, Virugambakkam, Chennai 92

....Respondents

Prayer: This Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd and 4th respondents, not to take coercive steps as per the order vide proceedings No. K4/0216/2024 dated 30.05.2025 passed by the 2nd respondent, until disposal of the appeal dated 02.06.2025, pending before the 1st respondent.

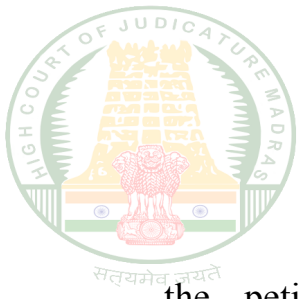
For Petitioner: Mr.P. Muthamizh Selvakumar

For Respondents: Mr.S.P.Veenasuresh
St.C For R3 and R4
Mr.R.Thamaraiselvan For R2

ORDER

This petition has been filed to direct the 2nd and 4th respondents, not to take coercive steps as per the order vide proceedings No. K4/0216/2024 dated 30.05.2025, passed by the 2nd respondent, until disposal of the appeal dated 02.06.2025, pending before the 1st respondent.

2. The petitioner purchased a shop at No.E-1, to an extent of 1051.79 Sq.ft at Koyambedu Whole Sale Market Complex, Koyambedu, from the 5th respondent vide sale deed No.566/2024 dated 02.02.2024. After purchasing the said shop, he was vending vegetables in the shop without any issues. While so,



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the petitioner submitted applications on 05.05.2025, 09.05.2025 and 15.05.2025 to the first and third respondents, seeking name change and license for running the said shop. The application was taken on file by the 1st respondent. The 1st respondent in proceedings No.10433672/Na.Va.3(i)/2025-1 dated 13.05.2025, forwarded the applications to the 3rd respondent, for appropriate consideration. Thereafter, the 3rd respondent communicated to the petitioner through his letter dated 16.05.2025, that there was a proceeding which was pending before the 2nd respondent, and so his representation would be considered, subject to the result of the said proceedings.

3. Meanwhile, the 2nd respondent conducted the proceedings in pursuance to the complaint received by him, and passed the impugned order on 30.05.2025, cancelling the petitioner's license with a direction to the 3rd respondent, to lock and seal the petitioner's shop. Aggrieved by the same, the petitioner preferred an appeal to the 1st respondent, on 02.06.2025, but the same was not considered. Hence, the petitioner filed the above writ petition.

4. Learned counsel appearing for the 3rd 4th respondents, on instructions, submitted that the appeal filed by the writ petitioner was taken on file, and the same was scheduled for hearing, on 17.06.2025. He further submitted that in the appeal, an order of status quo, was passed till 17.06.2025.



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5. Learned counsel appearing for the complainant would submit that, on the basis of his complaint, the petitioner's licence was cancelled. Further, the petitioner's shop was kept under lock and seal, but without even impleading the complainant as a party respondent, the petitioner filed the present writ petition. The counsel further submitted that the appeal filed by the petitioner was not maintainable, under Section 21(5) of the Tamil Nadu Specified Commodities Markets (Regulation of Location) Act, 1996.

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

7. Indisputably, the appeal filed by the petitioner is scheduled for hearing on 17.06.2025. In the said appeal, an order of status quo till 17.06.2025 is passed. As the petitioner's appeal to the 1st respondent is scheduled for hearing on 17.06.2025 and a status quo order till then has also been passed, I am of the view that the writ petition cannot be entertained. As regards, the submission of the learned counsel for the complainant is concerned, liberty is given to the complainant to implead himself in the appeal. In any event, the first respondent is directed to dispose of the appeal of the petitioner dated 02.06.2025, within a period of eight(8) weeks, from the date of receipt of a copy of this order.



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8. With the above observation, this writ petition is disposed of. No costs.

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msv

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

1. Appellate Authority

The Secretary to the Government, Department of Housing Board and Rural Development,
St George Fort, Secretariat, Chennai.

2. The Member Secretary

Chennai Metropolitan Development Authority,
Chennai.

3. The Chief Executive Officer

Market Management Committee, Koyembedu, Chennai.

4. The Chief Administrative Officer,

District Revenue Officer,
Market Management Committee, Koyembedu Whole Sale Market,
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N.Mala,J.
msv

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10.06.2025