



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-02-2026

CORAM

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

WP No. 5883 of 2026

AND

WMP Nos. 6392 & 6391 OF 2026

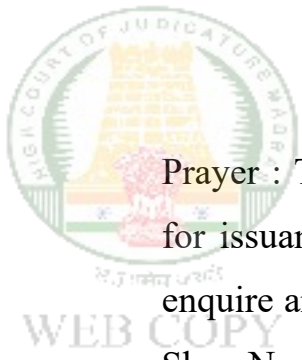
R.S. Sountharapandiyan

..Petitioner(s)

Vs.

1. The Member Secretary CMDA
Chennai Metropolitan Development Authority,
No.1 Ground Floor,
Thalamuthu Natrajan Building,
Gandhi Irwin Road, Egmore,
Chennai 08.
2. The Chief Executive Officer,
Chennai Metropolitan Development Authority,
No. 1 Thalamuthu Natrajan Building,
Gandhi Irwin Road, Egmore,
Chennai 08.
3. The Chief Administrative officer
Market Management committee,
Koyambedu Wholesale Market Complex,
Koyambedu, Chennai 107.
4. S.Kavitha
5. R.Sankaran
6. R.Damodharan
7. R.Sivakumar

.. ..Respondent(s)



Prayer : This Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 3rd respondent to conduct enquire and pass the order in to fraudulent obtain license infavour of Kavitha in Shop No. TF-100 , Block No. F Phase II, Koyambedu Whole sale Market (Fruit Market) Koyambedu Chennai 92 based on the petitioners representation dated 15.10.2025 to be cancel and issue the license in favour of the petitioner application dated 22.10.2025 and fixed timed framed .

For Petitioner(s) : Mr.M.Selvam

For Respondent(s) : Mr.B.Sanjay Balachander – R1 & R2

Ms.Safra Farhanaa
for Ms.P.Veena Suresh - R3

ORDER

The petitioner claims that respondent Nos.5 to 7 are claiming a right over the TF.100 Block No.F Phase II, Koyambedu Wholesale Fruit Market. The said shop was originally been allotted to the 4th respondent on 05.03.2003. The petitioner states that he had purchased the said allotment from one Kavitha by paying a sum of Rs.50,03,842/-.

2. A disagreement arose between Kavitha and the writ petitioner . Hence, he filed a suit in C.S.No.658 of 2010 on the Original Side of this Court, seeking the relief of permanent injunction restraining the CMDA and the Market



Committee from interfering with his peaceful possession and enjoyment of the said property.

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3. He further alleges that he obtained an interim order passed by this Court in O.A.No.800 of 2010 on 22.07.2010 against his vendor, Kavitha and her husband Vishwanathan. The said suit, on account of enhancement of pecuniary jurisdiction of the City Civil Court, has been transferred and renumbered as O.S.No.8951 of 2019 and the same is said to be pending consideration.

4. The cause of action for the present writ petition is that respondent Nos.5 to 7 have sought to have the aforesaid shop allotted in their names.

5. It is alleged in paragraph No.6 of the affidavit that respondent Nos. 5 to 7 are claiming a right through the original allottee, namely, the 4th respondent. The petitioner called upon the Market Committee to cancel the documents said to have been created by Kavitha and respondent Nos. 5 to 7. All this has been done pending the suit before the Jurisdictional Civil Court.

6. The petitioner states that the third respondent decided to conduct an enquiry and issued notice. Since, the enquiry has not been concluded, the petitioner has approached this Court seeking a writ of Mandamus to cancel the licenses issued in favour of the private respondents.



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7. Heard Mr. M.Selvam, learned counsel appearing for the petitioner and Mr.B.Sanjay Balachander, learned counsel for the respondents 1 and 2 and Ms.Safra Farhanaa, for Ms.P.Veena Suresh, appearing for third respondent.

8. When the right of the petitioner over the aforesaid premises is the subject matter of proceedings in O.S.No.8951 of 2019 on the file of the VIII Additional City Civil Court, Chennai, calling upon respondent nos.2 & 3 to conduct an enquiry on the basis of the alleged fraudulent document said to have been executed by Kavitha, amounts to pursuing parallel remedies. The petitioner cannot be permitted to agitate the same issue before two forums simultaneously and certainly not before CMDA.

9. A reading of the Essential Commodities Act, 1955, does not indicate that respondent nos.2 & 3 are vested with the powers of a Civil Court. Even, if any alienation is made at the instance of the 4th respondent in favour of respondent Nos.5 to 7, it would obviously be subject to the result of O.S.No.5951 of 2019. The Mandamus sought for is an attempt to clothe the CMDA with the powers of a Civil Court,



10. I am afraid I do not possess such power. It is for the petitioner to work out his rights in the pending suit. Initiating parallel proceedings when the issue is pending before the Civil Court cannot be appreciated.

11. This writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

24-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
KKD

To

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WP No.5883 of 2



V.LAKSHMINARAYANAN J.

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