
(2011) 04 MAD CK 0053

In the Madras High Court

Case No : Writ Petition No. 10633 of 2011 and W.P. No. 1 of 2011

A.J. Munneer Ahmed

APPELLANT

Vs

Cantonment Board Wellington

RESPONDENT

Date of Decision : 27-04-2011

Acts Referred:

Citation : (2011) 04 MAD CK 0053

Hon'ble Judges : R. Sudhakar, J

Bench : Single Bench

Advocate : J. Franklin, for the Appellant; M. Vijayan, for King and Patridge, for the Respondent

Judgement

R. Sudhakar, J.—Writ Petition is filed praying to issue a Writ of Mandamus, directing the Respondents to receive the renewal fee from the

Petitioner pursuant to his renewal application dated 18.3.2011 and renew the Petitioner's licence in respect of the Beef Stall No. VI/210, Old No.

401, situate at Wellington Barracks under the first Respondent Board, Coonoor Taluk, Nilgiris District, for a further period for the period from

1.6.2011.

2. Mr. M. Vijayan, learned Counsel, takes notice on behalf of the Respondents. By consent of both the parties, the writ petition is taken up for

final disposal.

3. The writ petition has been filed for a mandamus to receive the renewal application and renewal fee for the shop mentioned above. On going

through the typed set of papers, it is clear that the Petitioner has given an affidavit on 15.3.2011 which states as follows:

3. I state that the said shop already sealed by the Cantonment Board on

28/02/2011 and on my request the Wellington Cantonment Board has permitted me to reopen the said stall on 15/03/2011.

4. I state that I surrender the said stall to the Wellington Cantonment on 01/06/2011.

7. I am fully aware that the permission given to open the said sealed stall for the limited period has been accorded to me by the Cantonment

Authorities on the strength of the Specific undertaking given by me by this affidavit.

4. In the light of the affidavit given by the Petitioner, no relief can be granted as sought for in the writ petition.

5. The writ petition is opposed by Sri M. Vijayan, learned Counsel appearing for the Respondents stating that there is a procedure prescribed for allotment of shop under Cantonment Act 2006.

6. In the light of the stand taken by the Respondents, it is open to the Petitioner to pursue the matter with the Respondents in accordance with the provisions of the Cantonment Act 2006.

7. The Writ Petition is disposed of as above. No costs. Consequently, connected Miscellaneous petition is closed.