



WEB COPY

CMP No. 10785 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-07-2026

CORAM

THE HON'BLE MR.JUSTICE P.B. BALAJI

**CMP No. 10785 of 2026
in CRP.No.5610 of 2025**

The Chief Administrative Officer
Market Management Committee,
Koyambedu Wholesale Market
Complex,
Chennai-600 107.

..Appellant(s)

Vs

1. M.Johnson Alias Manivannan,
S/o.K.Manimaran,
Old No.20, New No.73/3,
Thiruvengadampuram
1st Street,
Choolaimedu,
Chennai-600 094.
2. V.Balasubramani
S/o. K.Vedasendur,
No.23/5, Murugesan Street, Tondiarpet,
Chennai-600 081.

..Respondent(s)

To consider the above submission of the Petitioner herein and modify the order dated 19.12.2025 in made CRP No.5610 of 2025 in the interest of justice and thus render justice.

For Appellant(s):

Mrs.P.Veena Suresh

For Respondent(s):

Ms.M.Sumithra
for Mr.D.Parventhan for R1
Mr.R.Harinath for R2



ORDER

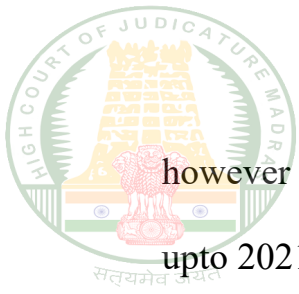
WEB COPY

This petition has been filed to consider the submissions of the petitioner herein and modify the order dated 19.12.2025 made in CRP.No.5610 of 2025.

2. Heard Mrs.Veena Suresh, learned counsel appearing for the petitioner and Ms.M.Sumithra, learned counsel appearing for the 1st respondent-landlord.

3. The learned counsel for the petitioner states that the petitioner has no valid license and consequently no right to be in lawful occupation of the shop portion in the Koyambedu Market Complex. She would also bring to my notice an interim order passed in I.A.Nos.4 and 5 of 2024 on 12.11.2025, where the competent Civil Court has directed the parties to maintain status quo, while dismissing I.A.Nos.4 and 5 of 2024, till dismissal of the suit. She would further state that the suit is still pending for final consideration and hence, the petitioner is not in a position to comply with the directions issued by this Court in CRP.No.5610 of 2025.

4. The learned counsel appearing for the 1st respondent-landlord would however contend that even in 2017, the 1st respondent was issued with license and he has been periodically renewing the same up to 2024. The said factum is



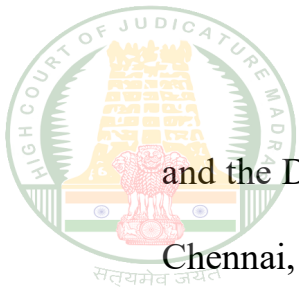
however disputed by the learned counsel for the petitioner, contending that only upto 2021, the petitioner's licence was renewed.

WEB COPY

5. Be that as it may, it is an admitted fact that the last licence that was issued in respect of the subject property was only to the 1st respondent-landlord and not to anyone else. However, there has been a claim by one R.Venkatesh, claiming under a power of attorney and unregistered sale deed from the 1st respondent, based on which the licence was proposed to be transferred to the said name of R.Venkatesh. It is only at that juncture that the authorities have come to know that there has been illegal transfer of the allotment, without consent of the other authorities and hence, the premises has been put under lock and seal. The learned counsel for the petitioner would therefore state that the petitioner is not in a position to hand over possession to the landlord and the authorities are not bound by the order of eviction passed by the Rent Court and affirmed by the Rent Tribunal, as well as this Court in revision.

6. I have carefully considered the submissions advanced by the learned counsel on either side.

7. Admittedly, it is the 1st respondent-landlord who filed the suit in O.S.No.3364 of 2024 and in I.A.No.4 of 2024, the petitioner sought for an injunction to restrain the respondents therein, namely P.Ramesh, R.Venkatesh



and the District Collector, Chennai and the District Registrar and Sub Registrar, Chennai, from interfering with his peaceful possession and enjoyment of the property. The said application has been dismissed by a final order dated 12.11.2025, directing the parties to maintain status quo.

8. As contended by the learned counsel for the petitioner, there has been no challenge to the said order dated 12.11.2025 and the same has become final and it is subject to the final outcome of the suit in O.S.No.3364 of 2024. However, the learned counsel for the 1st respondent-landlord has brought to my notice the written statement filed by the defendants 1 and 2 in the said suit, where they categorically admits that possession continues to be with the 1st respondent. It is however their claim that despite having received the entire consideration from the defendants, the 1st respondent has not parted with possession and that is how the disputes have arisen between the private respondents.

9. Independently, the 1st respondent has filed proceedings for recovery of possession from the tenant in occupation, namely one M.Johnson @ Manivannan. The Rent Court, finding that the 1st respondent is entitled to an order of eviction, ordered delivery of possession. The said order was challenged unsuccessfully by the tenant, M.Johnson @ Manivannan before the Rent Tribunal in RLTA.No.95 of 2024. The said appeal was also dismissed and in



revision before this Court, the concurrent orders passed by the Rent Court and the Rent Tribunal were affirmed and a direction was issued to the present miscellaneous petitioner to hand over possession to the 1st respondent since the petitioner is holding possession under lock and key for the various reasons that have already been set out herein above.

10. In the light of the above discussion, I do not see any reasonableness in the authorities holding on to possession having recognised the entitlement of the 1st respondent and having issued license to the 1st respondent even in 2017. The authorities cannot take sides in private litigation. If at all any illegality or irregularity has occasioned, it is always open to the authorities to take action in a manner known to law. It is not however open to them to seek interim directions or final directions in revision petition, where they are not even parties, moreso, when the private defendants in O.S.No.3364 of 2024, as well as the tenant had not brought up the issue of the premises being under lock and seal and the entitlement of the 1st respondent to possession as being the last license holder.

11. In the light of the above, I see no merit in the application. The Civil Miscellaneous Petition is dismissed. The petitioner shall hand over possession to the 1st respondent forthwith. However, this order shall not come in the way of the authorities taking appropriate action in the manner known to law against any



CMP No. 10785 of 2



wrong doers, including the 1st respondent. No costs.

WEB COPY

ATA

07-07-2026



WEB COPY

CMP No. 10785 of 2



P.B.BALAJI, J.

ATA

**CMP No. 10785 of 2026
in CRP.No.5610 of 2025**

07-07-2026



**CMP No.10785 of 2026
in CRP No.5610 of 2025**

WEB COPY

P.B.BALAJI.,J

The matter has been taken up today under the caption “For Being Mentioned”.

2. Leaned counsel for the petitioner brings to my notice that reference to the second respondent as landlord should not prejudice the rights of the applicant. The applicant seeks to modify the order since the second respondent in only a previous licensee, according to them and not the owner of the shop. It is made clear that the reference as landlord is only limited to the revision petition as it arises out of the rent control proceedings.

3. In the order dated 07.07.2026, in all the places, the “1st respondent-landlord” shall be read as “**2nd respondent-landlord**”

4. Registry is directed to carry out necessary correction and issue fresh copy to the petitioner.

16.07.2026

sr



WEB COPY

CMP No. 10785 of 2



P.B.BALAJI.,J

sr

**CMP No. 10785 of 2026
in CRP.No.5610 of 2025**

16.07.2026