

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26/8/2015

C O R A M

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI

and

THE HON'BLE MR. JUSTICE K.K. SASIDHARAN

W.P. No.26236 of 2015

V. Amudha

... Petitioner

Vs

1. The Secretary to the Government
Housing and Urban Development Department
Fort St. George
Chennai 600 009.

2. The Commissioner
Chennai Corporation
Rippon Building
Chennai 3.

3. The Assistant Area Engineer
Corporation of Chennai
Shenoy Nagar Circle
Chennai 30.

4. V. Elliot Illone Samson

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the second and third respondents to remove the lock and seal put on premises bearing Door No.5, Block No.334, Galaxy Apartments, Second Floor, II Avenue, Anna Nagar, Chennai - 40 and permit the petitioner to remove all her articles, documents, computer, furniture, Air-conditioner, etc.

For petitioner

... Mr. P. Premkumar

For respondents

... Mr.P.S.Sivashanmugasundaram
Spl.G.P for R.1.

Mr.V.C.Selvasekaran
for R.R.2 and 3.

O R D E R

(Order of the Court was made by SATISH K. AGNIHOTRI, J.)

Mr.P.S.Sivashanmugasundaram, learned Special Government Pleader, accepts notice for the first respondent. Mr. V.C. Selvasekaran, learned Standing Counsel, accepts notice for the respondents 2 and 3. With the consent of the learned counsel for the parties, the writ petition is taken up for final disposal, at the admission stage itself.

2 This writ petition is filed seeking a writ of mandamus directing the respondents 2 and 3 to remove the lock and seal put on the premises bearing Door No.5, Block No.334, Galaxy Apartments, II Floor, II Avenue, Anna Nagar, Chennai - 40 and permit the petitioner to remove all her articles, documents, computer, furniture, air conditioner, etc. from the said premises.

3 The learned counsel for the petitioner submits that the premises in question was occupied by the petitioner as a tenant. The said property has been locked and sealed on account of certain deviations committed by its owner. Thus, the petitioner be permitted to make an application to the officer concerned, i.e., the Assistant Area Engineer, Corporation of Chennai, seeking permission to remove chattels lying in the said premises.

4 Mr. V.C. Selvasekaran, learned Standing Counsel for Chennai Corporation submits that if an application of such nature is made by the petitioner, the petitioner shall be permitted to remove her chattels within a period of one week from the date of receipt of such an application and after removal of her chattels, the property shall be locked and sealed again to follow the due process of law.

5 In view of the above submission made by the learned Standing Counsel for Chennai Corporation, it is ordered.

6 The writ petition stands disposed of with the above observations. Costs made easy.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

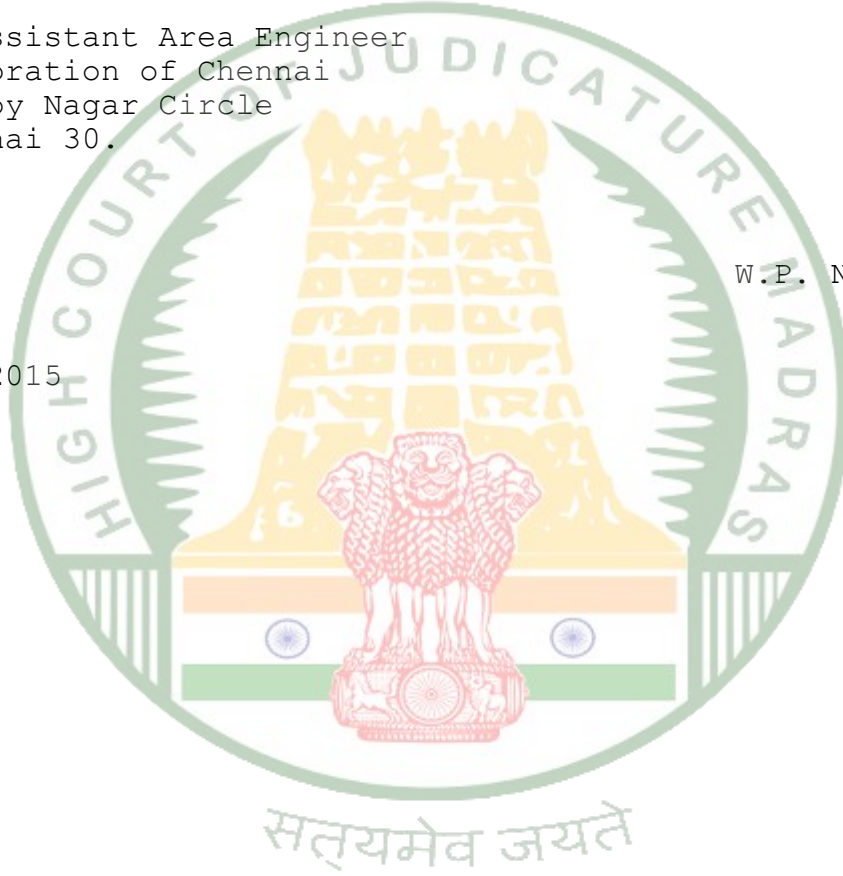
mvs.

To

1. The Secretary to the Government
Housing and Urban Development Department
Fort St. George
Chennai 600 009.
2. The Commissioner
Chennai Corporation
Rippon Building
Chennai 3.
3. The Assistant Area Engineer
Corporation of Chennai
Shenoy Nagar Circle
Chennai 30.

W.P. No.26236 of 2015

bvr (co)
pmk.27.8.2015



WEB COPY