

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2015

CORAM

THE HON'BLE Mr. JUSTICE SATISH K.AGNIHOTRI
and
THE HON'BLE Dr. JUSTICE P.DEVADASS

W.P.No.38039 of 2015

Faizal Traders rep. by its
Proprietor P.Azeez
Guindy, Chennai 32. ... Petitioner

Vs.

- 1.The Commissioner,
Corporation of Chennai,
Rippon Buildings, Chennai - 3.
- 2.The District Revenue Officer,
Asst. Commissioner, Zone 13,
Revenue Department,
Adyar, Chennai - 20.
- 3.The Revenue Officer,
Corporation of Chennai,
Chennai - 3. ... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus to direct the respondents to unlock the shop premises at No.5/66, Narasingapuram 6th Street, Maduvankarai, Guindy, Chennai - 32 and permit him to secure the articles in view of the closure of scrap business.

For Petitioner .. Mr.K.Venkataramani,
Sr. Counsel
for Mr.M.Muthappan

For Respondents .. Mr.R.Arunmozhi

ORDER

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

Mr. R. Arunmozhi, learned Standing Counsel, accepts notice

for the respondents. With the consent of the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondents, the writ petition is taken up for final disposal, at the admission stage itself.

2. This writ petition is filed seeking a direction to the respondents to unlock the shop premises at No.5/66, Narasingapuram 6th Street, Maduvankarai, Guindy, Chennai - 32 and permit the petitioner to secure the articles in view of the closure of scrap business.

3.The case of the petitioner before us is that the petitioner is doing scrap business and is not permitted to continue for want of No Objection Certificate and licences from the authorities. Admittedly, the petitioner is the owner of the premises in question. Thus, he made a representation to the respondents on 4 September 2015 to permit him to remove the articles from the premises and permit him to occupy the premises as the premises in question has been locked and sealed.

4.Mr.R.Arunmozhi, learned counsel appearing for the respondents submits that appropriate decision will be taken on the representation made by the petitioner.

5.Whether the petitioner is a lawful owner of the premises or not is the question to be decided by the authorities. Since the petitioner has made a representation to the authorities to consider his grievance and take a decision on its own merits and in accordance with law, we are not inclined to make any observation in this regard. However, we direct the authorities to examine the aforestated representation of the petitioner and take a decision on its own merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

6.The writ petition is disposed of with the above direction. No costs.

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

mmi

To

1.The Commissioner,
Corporation of Chennai,
Rippon Buildings, Chennai - 3.

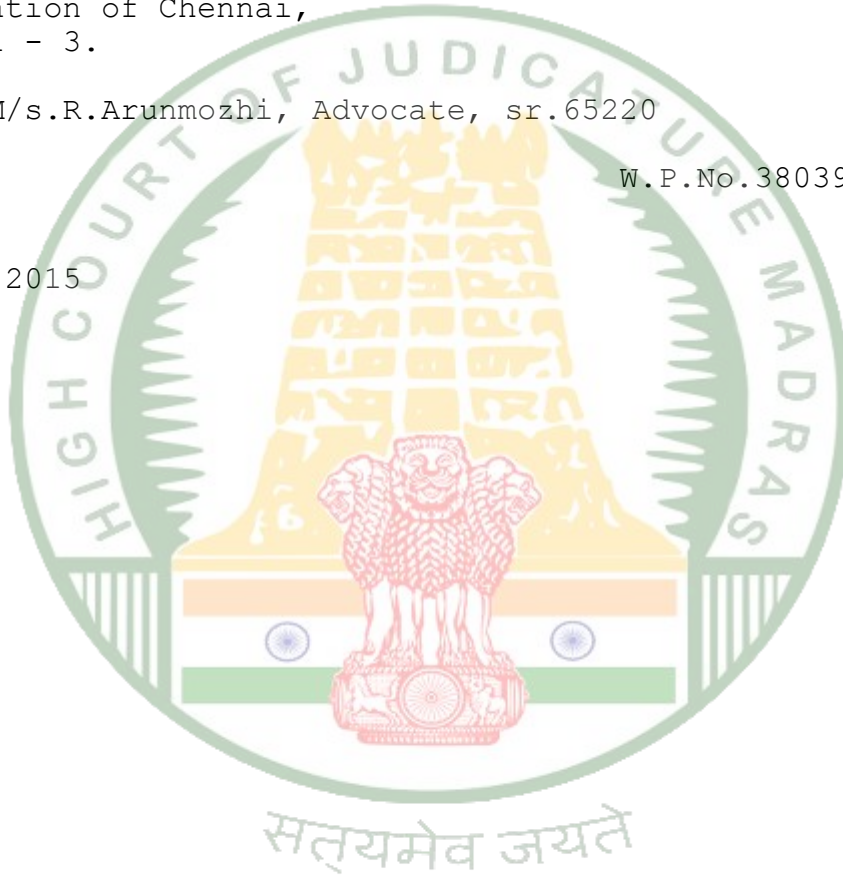
2.The District Revenue Officer,
Asst. Commissioner, Zone 13,
Revenue Department,
Adyar, Chennai - 20.

3.The Revenue Officer,
Corporation of Chennai,
Chennai - 3.

+1 cc to M/s.R.Arunmozhi, Advocate, sr.65220

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sai co
kra 15.12.2015



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