

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE SATISH K. AGNIHOTRI

AND

THE HONOURABLE DR.JUSTICE P.DEVADASS

W.A.No.1804 of 2015

and

M.P.Nos.1 and 2 of 2015

D.Anbalagan .. Appellant/ Petitioner

Vs.

- 1.The Registrar,
Indian Institute of Technology Madras (IIT),
Chennai-600 036.
- 2.The Deputy Registrar,
Indian Institute of Technology Madras (IIT),
Chennai-600 036. ..Respondents/ Respondents

Appeal filed under Clause 15 of the Letters Patent against the order passed by this Court dated 29.10.2015 passed in W.P.No.21071 of 2015.

W.P.No.21071 of 2015:- Petition under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus Calling for the records relevant to the order in No. F/Admn.III/ES/Vacate/2015/308 dt 8.7.2015 passed by the 2nd respondent and quash the same as illegal improper against the natural justice and thereby direct the respondents to extend the license period to the petitioner for running two wheeler mechanic shop situated at No.25 Shopping Centre Quarters Zone IIT Madras Chennai 36 in the rental premises of the respondents department by receiving the license fee.

For appellant : Mr.M.V.Muralidaran

JUDGMENT

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

The instant appeal arises from the order dated 29th October, 2015 passed in W.P.No.21071 of 2015.

2 Questioning the legality and validity of the order No.F/Admn.III/ES/Vacate/2015/308 dated 8th July 2015, the

appellant / petitioner preferred the writ petition to quash the same and to seek further direction to extend the license period to the petitioner for running two wheeler mechanic shop situated at No.25, Shopping Centre quarters Zone, IIT Madras, Chennai-600 036, in the rental premises of the respondents department by receiving the license fee.

3 Under the impugned order dated 8th July, 2015, the representation made by the appellant / petitioner to the notice for vacating the shop, in question, on completion of license period on 31st March, 2015 under clause 8 of the License Agreement, for continuation of the license period, was rejected.

4 Recording the facts that the issuance of notice for vacating the premises on completion of license period was contemplated under the license agreement and there is no provision for allotment of alternate accommodation, it was found that there was no jurisdictional or legal error in the impugned order dated 8th July, 2015, the writ petition was dismissed, granting time to the petitioner till 31st December, 2015.

5 The instant appeal is filed two days before the last date of the time granted by the learned Single Judge. The learned counsel appearing for the appellant reiterate the identical submission before this court and also seeks for allotment of alternate accommodation.

6 The appellant has not produced any material to establish his right for allotment of alternate shop or to continue occupation of the shop after completion of the license period. The notice was issued for vacating the premises, for which license period came to an end on 31st March, 2015. The learned Single Judge, recording the assurance given by the appellant to vacate the premises granted time till 31st December, 2015. We do not find any error, illegality in the order sought to be impugned in this appeal. Consequently, the writ appeal is dismissed. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

vvk

To

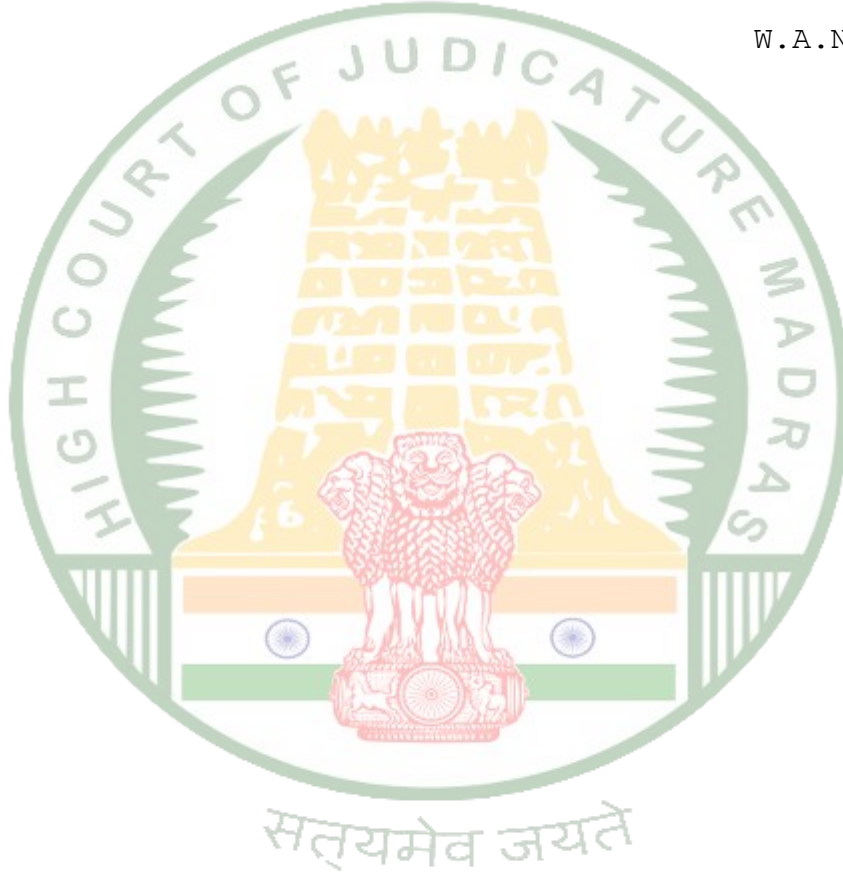
1.The Registrar,
Indian Institute of Technology Madras (IIT),
Chennai-600 036.

2.The Deputy Registrar,
Indian Institute of Technology Madras (IIT),
Chennai-600 036.

1 cc to M/s. M.V. Muralidharan, Advocate, Sr. 436

W.A.No.1804 of 2015

UG (CO)
kk 19/1



WEB COPY