

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2017

CORAM

THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE  
AND  
THE HON'BLE MR. JUSTICE RMT. TEEKAA RAMAN

W.P.No.6077 of 2017

K.Girija Verma

.. Petitioner

Vs.

- 1 The Executive Engineer  
Zone - VI, Corporation of Chennai  
No.5, Anderson Street  
Ayanavaram, Chennai-600 023.
  - 2 The Assistant Engineer  
Division -17 Corporation of Chennai  
Dobi Canal, Kosapet, Chennai- 600 012.
  - 3 N. Rajasekaran
  - 4 N. Jeyachander
- .. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the respondent to consider the representation dated 04.03.2017 on the file of the respondents and consequently direct the respondent to grant appropriate time period to vacate the premises at No.41/93, Chelappa Street, Ground Floor, Kosapet, Chennai - 600 012.

For Petitioner : Mr.T.R.Udaya Kumar

For Respondents : Mr.A.Nagarajan  
for respondents 1 and 2

ORDER

(Order of the Court was made by the Acting Chief Justice)

Mr.A.Nagarajan, learned counsel takes notice for respondents 1 and 2.

2. The petitioner has filed this writ petition seeking issuance of a writ of Mandamus directing the respondent to consider the representation dated 04.03.2017 on the file of the

respondents and consequently direct the respondent to grant appropriate time period to vacate the premises at No.41/93, Chelappa Street, Ground Floor, Kosapet, Chennai - 600 012.

3. The petitioner's husband was initially the tenant under respondents 3 and 4. After the death of the petitioner's husband, she is in possession and enjoyment of the same and claims that she is regularly paying the rent to respondent 3 and 4. While so, respondent authorities affixed a notice dated 2.3.2017 directing the petitioner to vacate from the said premises within seven days. The petitioner made a representation on 4.3.2017 to the respondent authorities seeking time to vacate the premises. Alleging that the said representation dated 4.3.2017 did not evoke any response, the present writ petition is filed for the relief stated supra.

4. Admittedly, the petitioner is only a tenant in the said property. The persons who should be more aggrieved by the de-occupation notice are respondents 3 and 4. That apart, it is not known as to whether the landlord has filed any appeal under Section 80A of the Act till date. Therefore, the direction as prayed for by the petitioner cannot be granted.

The writ petition is disposed of accordingly. No costs. Consequently, W.M.P.No.6513 of 2017 is closed.

Sd/-

Asst.Registrar (CS IV )

/true copy/

Sub Asst. Registrar

To:

- 1 The Executive Engineer  
Zone - VI, Corporation of Chennai  
No.5, Anderson Street  
Ayanavaram, Chennai-600 023.
- 2 The Assistant Engineer  
Division -17 Corporation of Chennai  
Dobi Canal, Kosapet, Chennai- 600 012.

+1 cc to Mr.A.Nagarajan,advocate,sr.16090.

+1 cc to Mr.T.R.Udayakumar,advocate,sr.16191.(10/4)

kk(co)

krd 27/3

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