

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:13.11.2017

CORAM:

THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN

W.P.No.6149 of 2017

and

WMP.No.6619 of 2017

T.Saloman

... Petitioner

vs.

The Chief Executive Officer,
St.Thomas Mount-Pallavaram Cantonment Board,
North Parade Road,
Chennai 600 016.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondent to break open the petitioner's premises in Shop No.3, Ranganathan Street, Pallavaram, Chennai 600 043 and consequently to direct the respondent to receive the rent from the petitioner as like other allottees of 26 shops based on the petitioner's representation dated 24.02.2017.

For Petitioner : Mr.M.Rajendiran

For Respondent : Mr.C.Mohan,
for M/s.King & Patridge

O R D E R

Today, when the matter is taken up for hearing, learned counsel for the respondent/Cantonment Board produced a copy of the letter dated 10.04.2017 addressed by the petitioner to the Executive Officer, Pallavaram - St. Thomas Mount Cantonment Office, seeking allotment of Shop in the name of their Area Secretary, W.Abbas and a copy of the communication dated 23.06.2017 of the respondent, accepting the request of the petitioner as regards regularisation of Shop No.3 in Temporary Shed, Pallavaram. For better appreciation, the conditions furnished in the said communication are extracted hereunder:

"With reference to the letter cited in (2), this office regularizes and allots Shop No.3 in Temporary Structure Shed, Pallavaram, Chennai - 43, as per the conditions furnished below:

1. Monthly Licence Fee of Rs.1,000/- should be paid before 7th of every month.
2. There should not be any encroachments made on the road.
3. You are hereby required to pay six months' Licence Fee as deposit.
4. Electricity connection should be obtained by you.
5. An agreement should be executed within three days from the date of allotment.
6. The Board/CEO reserves the rights to cancel the occupancy rights with one month notice without assigning any reason therefor.
7. The Licence Fee should be paid from the month of occupation of the Temporary Shed by you, i.e. from the month of February 2015."

2. In view of the same, no further orders are required in this matter. Hence, this Writ Petition is closed. No costs. Consequently, connected W.M.P.No.6619 of 2017 is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

(aeb)

To:

The Chief Executive Officer,
St.Thomas Mount-Pallavaram Cantonment Board,
North Parade Road,
Chennai 600 016.

+1cc to Mr.C.Mohan, Advocate for M/s.King & Partridge,
SR.No.80219/17
+1cc to Mr.M.Rajendiran, Advocate SR.No.81064/2017

Sm:27.11.2017

Order in
W.P.No.6149 of 2017