

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2017

CORAM

THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE RMT. TEEKAA RAMAN

W.P.No.7892 of 2017

M.Malarvizhi ... Petitioner

Vs.

1 The Commissioner
Corporation of Chennai
Rippon Building
Chennai - 600 003.

2 The Zonal Officer
Zone-VIII, Corporation of Chennai
No.36B, Pulla Avenue Road
Shenoy Nagar
Chennai - 600 030.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the respondents herein to consider the representation of the petitioner dated 16.03.2017 in seeking to remove the lock and seal from the premises in No.30/15, Pulla Avenue, Shenoy Nagar, Chennai - 600 030 and allow the petitioner to reside there in view of the undertaking that the petitioner will run turn the Tiffin Centre only after obtaining necessary license from the Corporation.

For Petitioner : Mr.G.Arul Murugan

For Respondents : Mr.V.C.Selvasekaran

ORDER

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

Mr.V.C.Selvasekaran, learned counsel takes notice for the respondents.

2. The petitioner has filed this writ petition seeking issuance of a writ of Mandamus directing the respondents herein to consider the representation of the petitioner dated 16.03.2017 in seeking to remove the lock and seal from the premises in No.30/15, Pulla Avenue, Shenoy Nagar, Chennai - 600 030 and allow the petitioner to reside there in view of the undertaking that the petitioner will run turn the Tiffin Centre only after obtaining necessary license from the Corporation.

3. The petitioner is running a small tiffin centre for the past 45 years in the hut put up by her. The respondent authorities locked and sealed the premises on 11.3.2017 stating that the tiffin centre is run without license. The petitioner submitted a representation on 16.3.2017 seeking to remove the seal and to allow her to reside there, specifically undertaking that until she obtains license, she will not run the tiffin centre. However, no order has been passed by the respondent authorities till date. Hence, the present writ petition for the relief stated supra.

4. Considering the facts and circumstances of the case, we direct the respondents to consider the representation of the petitioner dated 16.3.2017 and pass appropriate orders in accordance with law. We make it clear that if the petitioner is a tenant, the respondent authorities should serve notice on the owner of the premises and thereafter pass necessary orders, as for running a hotel in the premises, the tenant should obtain consent of the owner.

The writ petition is disposed of accordingly. No costs. Consequently, W.M.P.No.8604 of 2017 is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

sasi

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To

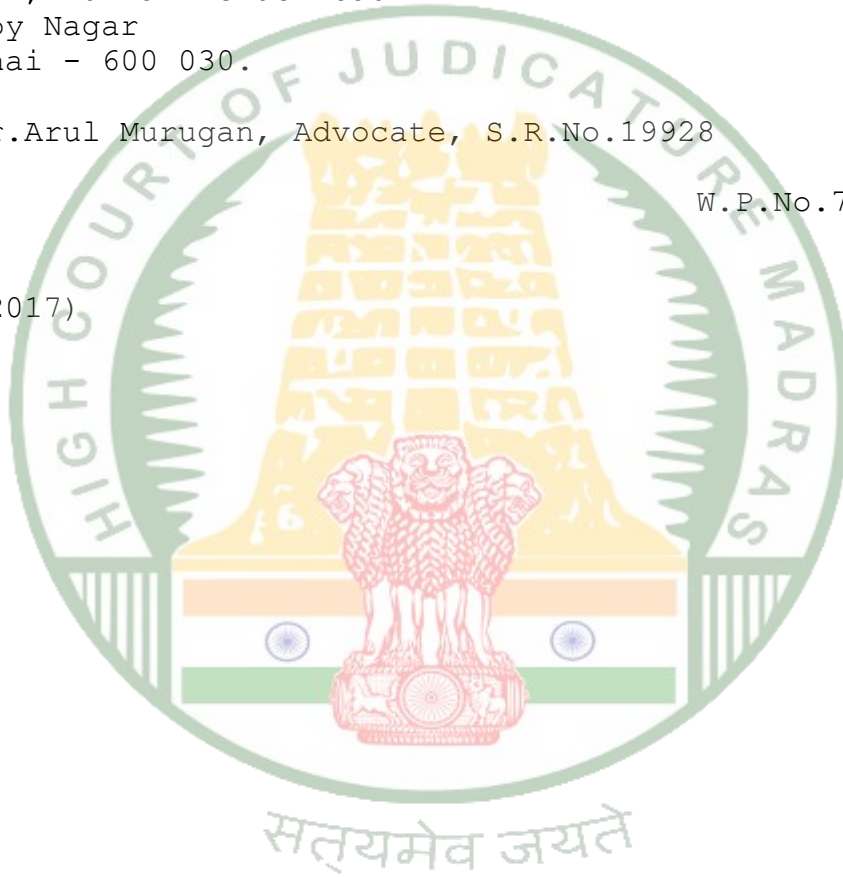
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+1cc to Mr.Arul Murugan, Advocate, S.R.No.19928

W.P.No.7892 of 2017

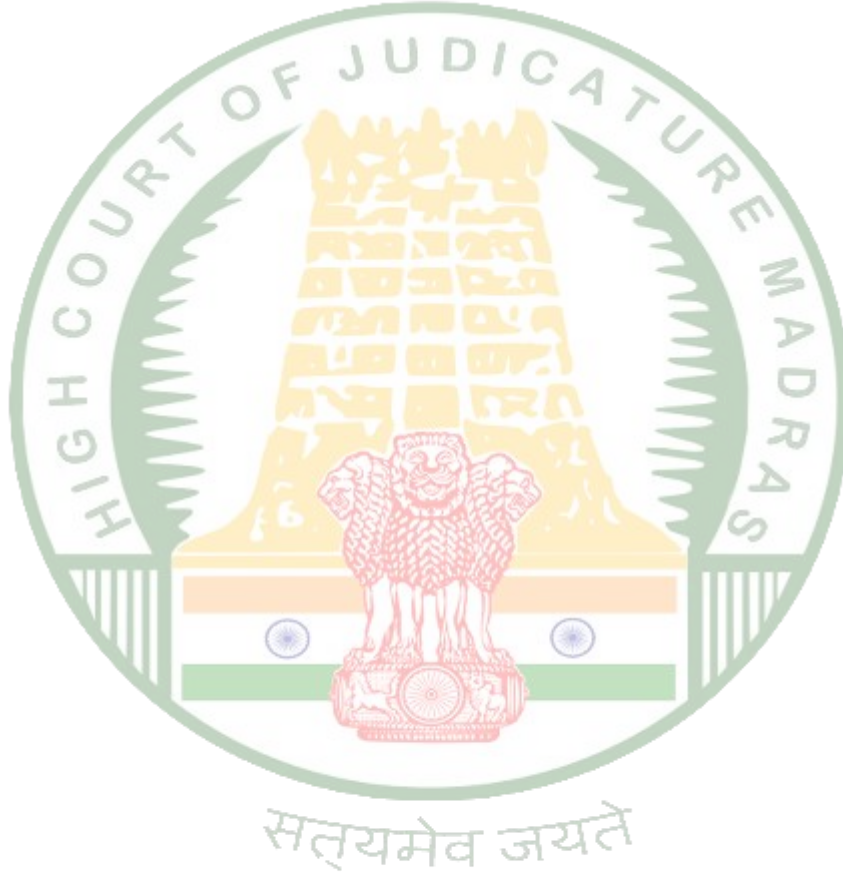
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HULUVADI G.RAMESH, ACJ.
AND
RMT.TEEKA RAMAN, J.

(sasi)



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4.4.2017