

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.6.2017

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.A.No.1433 of 2016
and

C.M.P.Nos.18106 to 18108 of 2016

1. Bharat Petroleum Corporation Ltd.,
rep. by its Manager,
No.1, Ranganathan Gardens
11th Main Road, Anna Nagar,
Chennai 600 040.
 2. Bharat Petroleum Corporation Ltd.,
rep. by its Territory Manager,
Karur Retail Territory,
Athur and Kadappari Village,
Athur Post, Karur-2.
- Appellants/Respondents 1&2

Versus

1. M.Ashrafunnisa
 2. M.Meharunnisa
 3. The Commissioner of Police,
Salem City, Salem.
- Respondents/petitioners/3rd Respondent

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 21.9.2016 passed in W.P.No.29312 of 2014 on the file of this court.

Prayer in WP.No.29312/2014

Petition filed under Article 226 of the Constitution of India, to issue a writ of Directing the respondents 1 and 2 to handover the vacant possession of the premises to the petitioners in Survey Nos.46/1B and 46/2A1 at four roads, Salem District and consequently, to pay the arrears of rent from the year 2004 onwards along with interest 18% per annum till date.

For appellants : Mr.O.R.Santhanakrishnan
For R1 and R2 : Mr.V.Stalin for
M/s.A.Esakkiappan
For R3 : Mr.P.S.Sivashanmugasundaram,
Special Government Pleader

JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the parties.

2. The writ appeal is filed challenging the order passed by the learned Single Judge directing the appellants herein being tenants under respondents 1 and 2 to vacate the tenanted premises.

3. It is brought to the notice of this court the judgment delivered by this court in W.A.No.988 of 2016, dated 21.11.2016, preferred by the appellant-Corporation as against the order passed in W.P.No.26729 of 2015, wherein, the order passed by the learned Single Judge rejecting the prayer of the appellant-Corporation to set aside the cancellation of 'no objection certificate' for running of petroleum outlet in the subject premises, has been confirmed and based on the same, possession has already been handed over.

4. In view of the above development, no further order is necessary in the present writ appeal. The writ appeal is disposed of accordingly. No costs. The connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

ssk.

To:

1. The Commissioner of Police,
Salem City, Salem.
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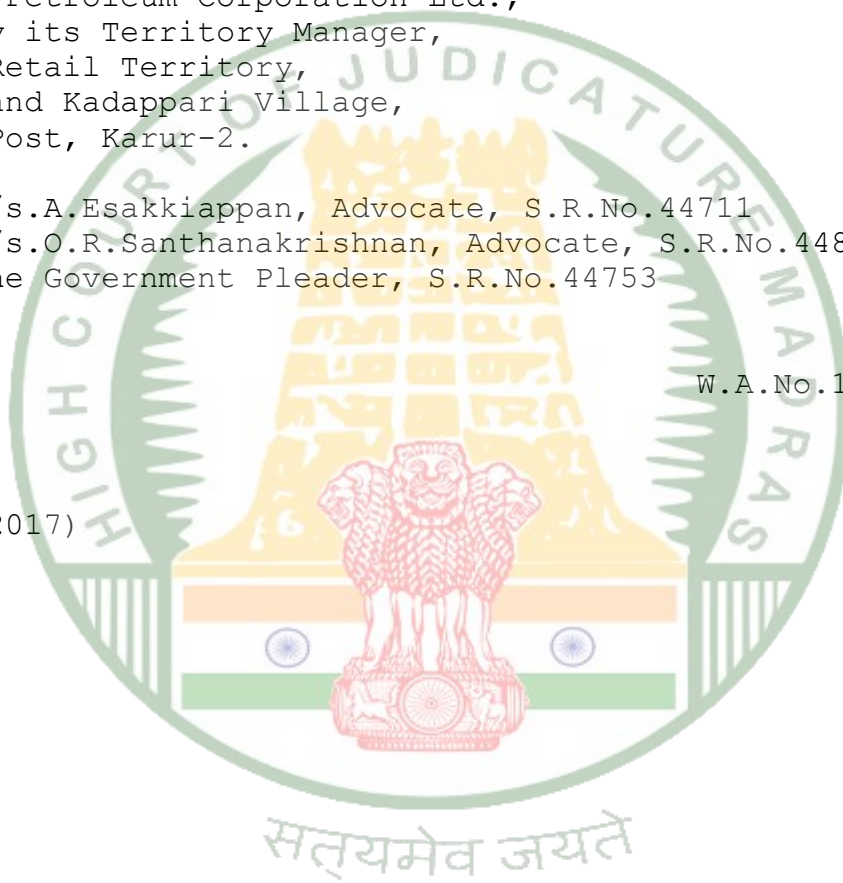
+2cc to M/s.A.Esakkiappan, Advocate, S.R.No.44711

+1cc to M/s.O.R.Santhanakrishnan, Advocate, S.R.No.44841

+1cc to the Government Pleader, S.R.No.44753

W.A.No.1433 of 2016

SKV(CO)
CU(21/07/2017)



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