

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.04.2018

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P No.7237 of 2018

M.Palani

..Petitioner

Vs

1.The Commissioner,
Greater Chennai of Corporation,
Ripon Building,
Chennai.

2.The Revenue Officer,
Greater Corporation of Chennai,
New Zone -IV,
Chennai.

3.Senthilkumar Raju

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking issuance of writ of mandamus, directing the respondents 1 and 2 to issue licence to the petitioner without insisting "No objection letter" from the landlord and break open the lock and seal put up in the shop situated at No.5C/2, SIDCO Main Raod, Kaviarasu Kannadasan Nagar, Kodungaiyur, Chennai – 600 118.

For Petitioner : Mr.R.Ravichandran

For Respondents : Mr.T.C.Gopalakrishnan
Standing Counsel for R1 and R2
No appearance for R3

ORDER

Heard Mr.R.Ravichandran, learned counsel for the petitioner Mr.T.C.Gopalakrishnan, learned Standing counsel appearing for the respondents 1 and 2 and despite service of notice on the third respondent and his name being printed in the cause list, there is no appearance either in person or through counsel.

2. The prayer sought for in this writ petition is for issuance of a writ of mandamus, directing the respondents 1 and 2 to issue licence to the petitioner without insisting "No objection letter" from the landlord and de-seal the premises situated at No.5C/2, SIDCO Main Raod, Kaviarasu Kannadasan Nagar, Kodungaiyur, Chennai.

3. The learned counsel for the petitioner submitted that the petitioner has been running a tea stall in the premises belong to the third respondent, under the name and style of M.M.Palani Tea Stall, from the year 2014 at SIDCO Main Road. The petitioner claims that he has been paying the agreed rents regularly, but the land lord insisted for payment of enhanced rent and also took up quarrel with the petitioner.

4. The learned counsel for the petitioner further submitted that now the premises is under lock and key and the representation of the petitioner for issuance of licence dated 19.3.2018 has not been considered. Hence, the present writ petition.

5. The learned counsel for the petitioner further submitted that it would suffice, if a direction is issued to the second respondent to consider the representation of the petitioner.

6. The learned Standing counsel appearing for the respondents 1 and 2 submitted that the representation of the petitioner would be considered in accordance with law.

7. In the light of the above facts and the submissions made by the learned counsels on either side, this Court, without going into the merits of the case, directs the second respondent to consider the representation of the petitioner dated 19.3.2018 and pass orders on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to all the necessary parties.

8. With the above direction, this writ petition is disposed of. However, there shall be no order as to costs.

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23.04.2018

Speaking Order / Non Speaking Order

Index: Yes/ No

Internet:Yes/No

Note : Issue order copy on **23.04.2018**

ms

K.KALYANASUNDARAM, J.,

ms

To

- 1.The Commissioner,
Greater Chennai of Corporation,
Ripon Building,
Chennai.
- 2.The Revenue Officer,
Greater Corporation of Chennai,
New Zone -IV,
Chennai.



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