

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.03.2018

CORAM
THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.4409 of 2018
and W.M.P.No.5421 of 2018

M.Yugenthiran

...Petitioner

Versus

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

2.The Zonal Officer,
Corporation of Chennai,
Zone-6, 68, Anderson Street,
Ayanavaram, Chennai 600 023.

... Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking a Writ of Certiorari calling for the records of the impugned notice dated 21.02.2018 in No.மா,ஆ,6 வா.து.ந.க.No.0060 of 2017 and quash the same.

For Petitioner : Mr.P.Sivamani

For Respondents : Mr.T.C.Gopalakrishnan
Standing Counsel (Corporation)

O R D E R

The petitioner has come forward with this Writ Petition challenging the eviction notice ordered by the second respondent dated 21.02.2018.

2. The impugned order came to be passed against the petitioner on the ground that the shopping complex is in a dilapidated condition.

3. Heard Mr.P.Sivamani, learned counsel for the petitioner and Mr.T.C.Gopalakrishnan, learned standing counsel for the respondents.

4. The Learned counsel for the petitioner would submit that, the petitioner has been carrying on business in the premises for

the past 15 years and he needs only a breathing time to evict the same. The petitioner has filed an affidavit of undertaking dated 20.03.2018, seeking time to evict the shop.

5. The learned standing counsel for the respondents submitted that the eviction notice is ordered only on the basis that the building is in a dilapidated condition and if anything happens, the respondent-Corporation would be made liable. He further submitted that the petitioner can be permitted to handover the possession of the building in a month's time.

6. Considering the facts and circumstances of the case, this writ petition is disposed of directing the petitioner to handover the possession of the building to the respondent-Corporation on or before 30.06.2018. In the meanwhile, if any untoward incident happens, the respondent-Corporation shall not be made liable. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

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

2.The Zonal Officer,
Corporation of Chennai,
Zone-6, 68, Anderson Street,
Ayanavaram, Chennai 600 023.

+1cc to Mr.T.Gopalakrishnan, Advocate, S.R.No.21017

+1cc to Mr.P.Sivamani, Advocate, S.R.No.21301

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W.M.P.No.5421 of 2018

SAI (CO)

RRK (24/04/2018)