

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 21.12.2018

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition No.30931 of 2018

&

W.M.P.No.36080 of 2018

A.Venkatachalam

... Petitioner

-Versus-

1.The Commissioner,
Corporation of Chennai.

2.The Assistant Revenue Officer,
Division 10,
Corporation of Chennai.

3.The Deputy Commissioner of Police,
T.Nagar, Chennai.

4.The Inspector of Police,
R-7, K.K.Nagar Police Station.

5.Murugan

6.Nambiarajan

7.P.Raman

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 1st respondent to remove the illegal occupation of respondents 6 to 7 at Shop No.8, K.K.Nagar Main Road, opposite K.K.Nagar Depot, Chennai-78 and take necessary action against the respondents 5 to 7 based on the complaint dated 20.06.2018.

For Petitioner : Mr.M.Balaji

For Respondent(s) : Mrs.Karthikaa Ashok,
Standing Counsel for R1
Mr.R.Balasubramanian, Spl.
Govt. Pleader for R2 to R4

ORDER

This writ petition has been filed seeking to issue a writ in the form of mandamus directing the 1st respondent to remove the illegal occupation of respondents 6 & 7 at Shop No.8, K.K.Nagar Main Road, opposite K.K.Nagar Depot, Chennai-78 and to take necessary action against the respondents 5 to 7 based on the complaint dated 20.06.2018.

2. According to the petitioner, the shop bearing No.8 belonging to the 1st respondent corporation in the said locality and it was allotted in favour of the 5th respondent and he was running business therein. Subsequently, a criminal case had been registered against the 5th respondent and he was facing criminal prosecution. Thereafter, the 5th respondent had handed over the shop to the petitioner and the petitioner was running his business. Now, the respondents 6 & 7 have illegally trespassed into the shop with the help of the goondas and took possession of the premises. Hence, this writ petition.

3. The learned standing counsel for the 1st respondent, on instructions, submitted that the shop was originally allotted to the 5th respondent and subsequently, the 5th respondent had sub let the shop to the 7th respondent. In the said circumstances, a notice has already been issued to the 5th respondent requiring to hand over the vacant possession of the shop on account of violation of allotment conditions and the 1st respondent is also taking steps to lock and seal the shop in question.

4. Considering the above submissions made by the learned standing counsel for the respondent corporation, this court is of the view that no further adjudication is required to be made in this writ petition and the writ petition is closed recording the submissions made by the learned standing counsel for the 1st respondent. No costs. Consequently, connected WMP is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kmk

To

1.The Commissioner,
Corporation of Chennai.

2.The Assistant Revenue Officer,
Division 10, Corporation of Chennai.

3.The Deputy Commissioner of Police,
T.Nagar, Chennai.

4.The Inspector of Police,
R-7, K.K.Nagar Police Station.

+1cc to Mrs.Karthikaa Ashok, Advocate, S.R.No.89800

W.P.No.30931 of 2018

CP (CO)

rrs 15/02/2019



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