

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2019

CORAM :

The Hon'ble Mrs.V.K.TAHILRAMANI, CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P.No.636 of 2019

Rajesh

.. Petitioner

-vs-

1. The Commissioner,
Corporation of Chennai,
Ripon Building,
Chennai - 600 003.
2. The Assistant Executive Engineer,
Corporation of Chennai,
Z-VII Ambattur,
Chennai - 600 053.
3. The Assistant Commissioner,
Corporation of Chennai,
Z-VII Ambattur,
Chennai - 600 053.
4. A.Devanidhi

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents to remove the seal in the premises bearing Door No.145, Vellalar Street, Mogappair West, Chennai-600 037 as for as the petitioner shop "Y NOT MENS WEAR" alone and permit the petitioner to remove his readymade garments.

For Petitioner

: Mr.Thiagarajan
Senior Counsel
for M/s.M.Nallathambi

For Respondents

: Mr.V.C.Selvasekaran
for respondent Nos.1 to 3

ORDER

(Order of the Court was made by M.DURAISWAMY, J.)

The petitioner has filed the above writ petition to issue a Writ of Mandamus directing the respondents to remove the seal in the premises bearing Door No.145, Vellalar Street, Mogappair West, Chennai-600 037 as far as the petitioner shop "Y NOT MENS WEAR" is concerned and permit the petitioner to remove his ready made garments.

2. The learned Senior Counsel appearing for the petitioner submitted that the petitioner is a lessee in respect of the above mentioned shop and was running garments business in the said shop. Further, the learned Senior Counsel submitted that the premises was locked and sealed by the respondent Corporation on 10.12.2018. Since the premises has been locked and sealed by the respondent Corporation, the petitioner is not in a position to remove the ready made garments stored in the premises.

3. Mr.V.C.Selvasekaran, learned counsel taking notice on behalf of respondent Nos.1 to 3 submitted that the petitioner may be permitted to remove the ready made garments stored in the above mentioned premises on 11.01.2019 between 10.00 A.M. and 5.30 P.M.

4. In view of the submissions made by the learned counsel appearing on either side, we permit the petitioner to remove all his belongings stored in the shop "Y NOT MENS WEAR" at Door No.145, Vellalar Street, Mogappair West, Chennai-600 037 between 10.00 A.M. and 5.30 P.M. The respondents 1 to 3 are directed to de-seal and unlock the premises on 11.01.2019 between 10.00 A.M. and 5.30 P.M., enabling the petitioner to remove his belongings stored in the above mentioned premises. After removing belongings by the petitioner, respondent Nos.1 to 3 are directed to lock and seal the premises immediately.

5. The learned counsel appearing for the Corporation undertakes to communicate a copy of this order to the third respondent today itself. The petitioner is also directed to communicate a copy of this order to the third respondent.

6. With these observations, the writ petition is disposed of. No costs.

bbr

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

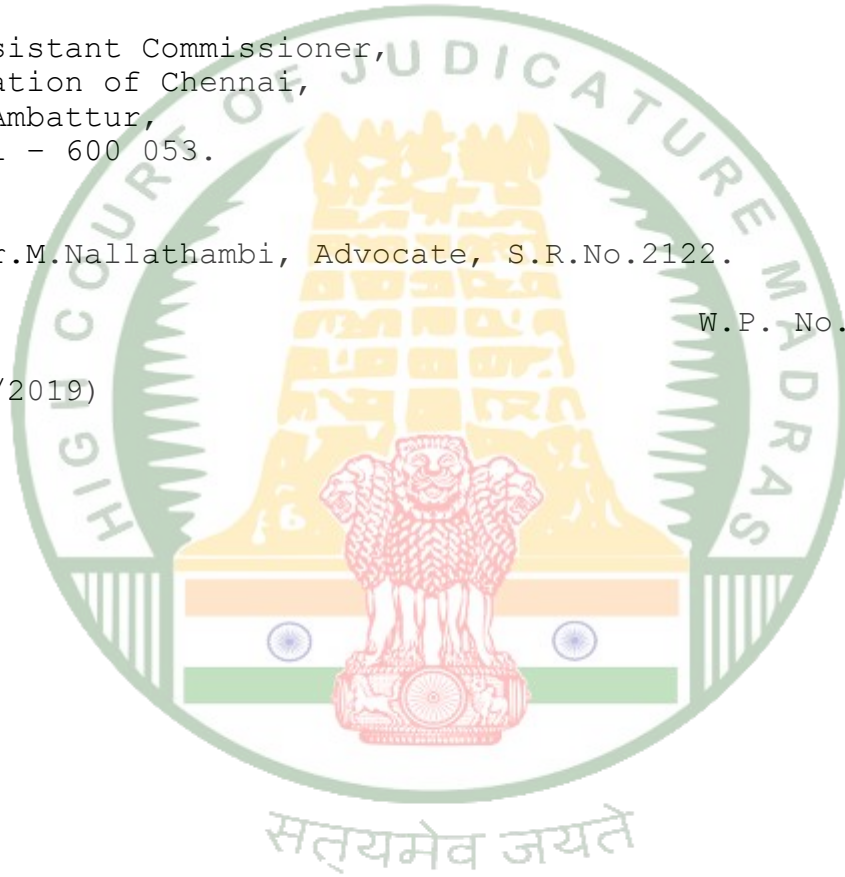
To

1. The Commissioner,
Corporation of Chennai,
Ripon Building,
Chennai - 600 003.
2. The Assistant Executive Engineer,
Corporation of Chennai,
Z-VII Ambattur,
Chennai - 600 053.
3. The Assistant Commissioner,
Corporation of Chennai,
Z-VII Ambattur,
Chennai - 600 053.

+1cc to Mr.M.Nallathambi, Advocate, S.R.No.2122.

W.P. No.636 of 2019

rrs(co)
kak(09/01/2019)



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