IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.06.2019

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.17524 of 2008
and
M.P.No.1 of 2008

Ms.Jamunadevi .. Petitioner

Vs

Bharat Petroleum Corporation Ltd.,
No.1, Renganathan Garden,
11th Main Road, Anna Nagar,
Chennai - 40. .. Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the respondent to hand over the vacant possession of the 5 grounds of land in Survey No.14/1 leased out to them at Mannurpettai Village and pay damages as per the current market value till the hand over of the land.

For Petitioner : Mr.A.Nister Hakee

For Respondent : Mr.O.R.Santhana Krishnan
Central Government Standing Counsel

O R D E R

The prayer made in the Writ Petition is to issue a Writ of Mandamus directing the respondent to hand over the vacant possession of the 5 grounds of land in Survey No.14/1 leased out to them at Mannurpettai Village, Chennai.

2. Heard Mr.A.Nister Hakeem, learned counsel appearing for the petitioner and Mr.O.R.Santhana Krishnan, learned Central Government Standing Counsel appearing on behalf of the respondent.

3. The petitioner would claim that the petitioner's husband and M/s. Burma Shell Oil Storage and Distribution Company of India Limited entered into a lease agreement on 01.07.1963 for a period of 40 years. Though the period expired on 10.06.2003, the respondent has not handed over the possession to the petitioner.

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4. Mr.O.R.Santhana Krishnan, learned Standing Counsel appearing on behalf of the respondent would submit that the property in dispute was sold to one S.A.Govinda Rajan, vide sale deed dated 02.01.2012, who in turn entered into a lease agreement with the respondent on 02.11.2015 for a period of 29 years.

5. In the light of the above facts, this Court is of the considered opinion that no further adjudication is required in this Writ Petition. Hence, this Writ Petition is dismissed. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(Insp.cell)

//True copy//

Sub Assistant Registrar

dh

+1cc to Mr.O.R.Santhana Krishnan, Advocate SR.No.47286

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PP(CO)
GMY(22/07/2019)

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