

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 14.02.2019

CORAM
THE HON'BLE MRS.V.K.TAHILRAMANI, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.4029 of 2019

K.Jui Prasanth

.. Petitioner

Vs.

1 The Zonal Officer
Zone -7 Chennai City Corporation
Ambattur
Chennai 600 053.

2 A.Devaneethi

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the 1st respondent to consider and dispose the representation made by the petitioner on 27/12/2018 requesting the 1st respondent to take back the goods lying in the shop at No.145, Vellalar Street, Mugappair West Main Road, Mugappair, Chennai - 600 034 within a stipulated time.

For Petitioner : Mr.A.Lakshminarasimhan

For Respondents : Mr.C.Ravichandran
for 1st respondent

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner has filed the above writ petition to issue a writ of Mandamus directing the first respondent to remove the seal in the premises bearing Door No.145, Vellalar Street, Mogappair West, Chennai-600 037 as far as the petitioner's "Mens Wear Shop" is concerned and permit the petitioner to remove his ready made garments which are in the shop.

2. The learned 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 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 and he is put to great loss.

3. Mr.C.Ravichandran, learned counsel taking notice on behalf of the first respondent submitted that the petitioner may be permitted to remove the ready made garments stored in the above mentioned premises on 20.02.2019 between 10.00 A.M. and 5.00 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 "Mens Wear Shop" at Door No.145, Vellalar Street, Mogappair West, Chennai-600 037 on 20.02.2019 between 10.00 A.M. and 5.00 P.M. The first respondent is directed to de-seal and unlock the premises on 20.02.2019 between 10.00 A.M. and 5.00 P.M., enabling the petitioner to remove his belongings stored in the above mentioned premises. After removal of belongings by the petitioner, the first respondent is 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 first respondent today itself. The petitioner is also directed to communicate a copy of this order to the first respondent.

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

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

sasi

To:

The Zonal Officer
Zone -7 Chennai City Corporation
Ambattur
Chennai 600 053.

+1cc to M/s.A.Lakshmi Narasimman, Advocate, S.R.No.13241
+1cc to M/s.C.Ravichandran, Advocate, S.R.No.13336

W.P.No.4029 of 2019

NR(CO)

rrs 14/02/2019