

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.4132 of 2019

N.Muthukumar
Petitioner

..

Vs

1 The Commissioner
Corporation of Chennai
Rippon 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

PRAYER: Petition under Article 226 of the Constitution of India for issuance of 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's shop "SUPRIZE GIFTS" alone and permit the petitioner to remove his gift articles.

For Petitioner : Mr.R.Kannabiran

For Respondents : Mr.C.Ravichandran
for respondents 1 to 3

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 respondent

authorities to remove the seal in the premises bearing Door No.145, Vellalar Street, Mogappair West, Chennai-600 037 as far as the petitioner's shop "SURPRIZE GIFTS" is concerned and permit the petitioner to remove the gift articles from 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 selling gift articles 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 gift articles stored in the premises and he is put to great loss.

3. Mr.C.Ravichandran, learned counsel taking notice on behalf of respondents 1 to 3 submitted that the petitioner may be permitted to remove the gift articles 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 his shop "SURPRIZE GIFTS" 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 concerned authority, i.e., the second 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 second 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 respondent Corporation today itself. The petitioner is also directed to communicate a copy of this order to the respondent Corporation.

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

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

sasi

To:

- 1 The Commissioner
Corporation of Chennai
Rippon 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

+1 CC to Mr. Kannabiran, Advocate sr 13369
+1 CC to Dr.C. Ravichandran, advocate sr 13337.

W.P.No.4132 of 2019

SVI (CO)
SP(14/02/2019)