

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2019

CORAM :

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

W.P.NO.5931 OF 2019

M/s.Heavenly Foods Private Limited,
Office No.1926, 34th Street,
I Block, Ishwariya Colony,
Anna Nagar West,
Chennai - 600 040
rep. by Director Mrs.Shiny Ashwin.

.. 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 "HEAVENLY FOODS" alone and permit the petitioner to remove their all goods.

For Petitioner : Mr.R.Kannabiran
For Respondents : Mr.C.Ravichandran
for respondent Nos.1 to 3

ORDER

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

Heard Mr.R.Kannabiran, learned counsel for the petitioner and Mr.C.Ravichandran, learned counsel for the respondent Nos.1 to 3.

2. 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 "HEAVENLY FOODS" is concerned and permit the petitioner to remove their goods.

3. The learned counsel for the petitioner submitted that the petitioner is a lessee in respect of the above mentioned shop and was running gift shop in the said premises. 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 goods stored in the premises and the petitioner is suffering huge loss.

4. The learned counsel for respondent Nos.1 to 3 submitted that the petitioner may be permitted to remove their goods stored in the above mentioned premises on 14.03.2019 between 10.00 A.M. and 5.00 P.M.

5. In view of the submissions made by the learned counsel appearing on either side, we permit the petitioner to remove all their goods stored in the shop "HEAVENLY FOODS" at Door No.145, Vellalar Street, Mogappair West, Chennai-600 037 between 10.00 A.M. and 5.00 P.M. The respondents 1 to 3 are directed to de-seal and unlock the premises on 14.03.2019 between 10.00 A.M. and 5.00 P.M., enabling the petitioner to remove their goods stored in the above mentioned premises. After removing the goods by the petitioner, respondent Nos.1 to 3 are directed to lock and seal the premises immediately.

6. 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.

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

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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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.C.Ravichandran, Advocate, S.R.No.19851
+1cc to Mr.R.Kannabiran, Advocate, S.R.No.19676

W.P.No.5931 of 2019

VBA(CO)
CS/05/03/2019

सत्यमेव जयते

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