

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Tuesday, the Fourth day of June Two Thousand Nineteen

PRESENT

THE HON'BLE SMT.VIJAYA KAMLESH TAHILRAMANI, THE CHIEF JUSTICE

AND

THE HON'BLE MR JUSTICE M.DURAISWAMY

WMP No.13380 of 2019
IN WP.NO.8294 of 2019

V.RAVI

[PETITIONER]

Vs

1 R.RAMESHWARI

[RESPONDENTS]

2 M.JANAKIRAMAN,

3 THE ADDITIONAL SECRETARY (TECHNICAL),
HOUSING AND URBAN DEVELOPMENT
DEPARTMENT, GOVERNMENT OF TAMIL NADU,
SECRETARIAT, CHENNAI - 600 009.

4 THE MEMBER SECRETARY,
CHENNAI METROPOLITAN DEVELOPMENT AUTHORITY,
THALAMUTHU NATARAJAR MALIGAI, NO.1, GANDHI
IRWIN SALAI, EGMORE, CHENNAI - 600 008

5 THE COMMISSIONER,
GREATER CHENNAI CORPORATION, RIPPON BUILDING,
CHENAI - 600 008.

6 THE EXECUTIVE ENGINEER,
GREATER CHENNAI CORPORATION, ZONE-09,
CHENNAI - 600 034.

7 THE ASSISTANT EXECUTIVE ENGINEER,
GRETER CHENNAI CORPORATION, UNIT-25,
MYLAPORE, CHENNAI - 600 004.

8 THE ASSISTANT ENGINEER,
GREATER CHENNAI CORPORATION, DIVISION-125,
KATCHERY ROAD, MYLAPORE, CHENNAI - 600 004.

9 R.SIVAKUMAR,

10 R.RAMACHANDRAN

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Direct the Respondents 3 to 8 to temporarily DE-SEAL the Petitioner tenancy premises as to enable the Petitioner to remove his goods IN WMP.NO.13380 OF 2019.

XEROX COPY ATTACHED IN SCHEDULE OF THE PROPERTY

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.V.JAYAPRAKASH ADVOCATE FOR BALACHANDRAN R., Advocate for the petitioner and of MR.S.N.PARTHASARATH, GOVERNMENT ADVOCATE FOR 3rd Respondents and of MR.V.C.SELVASEKARAN, FOR 5 TO 8 Respondents and 4th Respondent not appearing either in person or by an advocate and 1,2,9,10 Respondent not appearing either in person or by an advocate on behalf of the Respondents the court made the following order:-

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

The writ petitioner has filed the above miscellaneous petition to direct respondents 3 to 8 to temporarily de-seal the premises in Door No.19/8, Venkatasamy Lane, Santhome, Mylapore, Chennai - 600 004, for the purpose of removing the goods kept in the sealed premises.

2. It is the case of the petitioner that he is a tenant in occupation of the ground floor front portion in the said premises. The premises was locked and sealed pursuant to the order issued by the authorities. In the affidavit filed in support of the petition, the petitioner has stated that the authorities of the respondent Corporation sealed the premises, wherein he has kept Law Books, Forms for Madras Book Agency and Sitaraman and Company, pictures and pamphlets for Kanchi Mutt and Veda Books for Trichy Veda Bada Salai. Further, he has stated that he has to handover delivery of the finished goods kept in the sealed premises and for this purpose, the premises may be de-sealed on 7.6.2019 enabling the petitioner to remove the finished goods from the sealed premises.

3. Mr.V.C.Selvasekaran, learned counsel appearing for the Corporation of Chennai submitted that the premises may be de-sealed enabling the petitioner to remove the finished goods kept in the sealed premises on 7.6.2019 between 10 AM and 5 PM.

4. In view of the submission made by the learned counsel on either side and taking into consideration the averments made in the affidavit filed in support of this petition, we direct the sixth respondent, i.e., the Executive Engineer, Greater Chennai Corporation, Zone-09, Chennai-600 034, to de-seal the premises in Door No.19/8, Venkatasamy Lane, Santhome, Mylapore, Chennai - 600 004, on 7.6.2019 between 10 AM and 5 PM enabling the petitioner to remove the finished goods kept in the sealed premises. The removal of finished goods shall be done in the presence of the representatives of the petitioner and the sixth respondent. We make

it clear that after removing the movables from the premises, the sixth respondent shall lock and seal the premises at 5 PM.

5. With these observations, this miscellaneous petition is disposed of.

-sd/-

04/06/2019

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

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HOUSING AND URBAN DEVELOPMENT
DEPARTMENT, GOVERNMENT OF TAMIL NADU,
SECRETARIAT, CHENNAI - 600 009.

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GREATER CHENNAI CORPORATION, DIVISION-125,
KATCHERY ROAD, MYLAPORE, CHENNAI - 600 004.

C.C. To MR. BALACHANDRAN R. Advocate SR.NO.6959

C.C.to MR.P.B.RAMANUJAM, ADVOCATE SR.NO.6968

Order
in
WMP.13380/2019
IN WP.NO.8294 OF 2019

Date :04/06/2019

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