

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2019

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.Nos.28191,28195, 28198 & 28203 of 2019
and

W.M.P.Nos.27857, 27858, 27862, 27867 & 27873 of 2019

Tea Estates India Ltd.,
Monica Garden Bungalow,
Woodbriar Group
Stanmore Group Central office,
Valparai, Pollachi Via,
Coimbatore-642 127, Tamilnadu,
rep.by its Authorised Signatory
Mr.Antony George. ... Petitioner in W.P.No.28191/2019

Tea Estates India Ltd.,
Stanmore Garden Bungalow,
Woodbriar Group
Stanmore Group Central office,
Valparai, Pollachi Via,
Coimbatore-642 127, Tamilnadu,
rep.by its Authorised Signatory
Mr.Antony George. ... Petitioner in W.P.No.28195/2019

Tea Estates India Ltd.,
Sirukundra Garden Bungalow,
Woodbriar Group
Stanmore Group Central office,
Valparai, Pollachi Via,
Coimbatore-642 127, Tamilnadu,
rep.by its Authorised Signatory
Mr.Antony George. .. Petitioner in W.P.No.28198/2019

Tea Estates India Ltd.,
Pudhu Thottam Annexe,
Woodbriar Group
Stanmore Group Central office,
Valparai, Pollachi Via,
Coimbatore-642 127, Tamilnadu,
rep.by its Authorised Signatory
Mr.Antony George. .. Petitioner in W.P.No.28203/2019

/versus/

1.The Government of Tamilnadu,
Represented by its Revenue Secretary,
Fort St.George, Chennai-600 009.

2.The Competent Authority under
Tamilnadu Public Building (Licensing) Act 1965,
Taluk Executive Magistrate and Tahsildar,
Valparai, Coimbatore District-642 127.

.. Respondents in all WPs

COMMON PRAYER: Writ Petitions are filed under Article 226 of the Constitution of India, praying for the issue of Writ of Certiorarified Mandamus, calling for the records leading upto the passing of the impugned order bearing R.C.No.653/2019/A2 dated 18.09.2019, passed by the 2nd respondent and to quash the same and consequently forbearing the respondents from interfering with the petitioner's peaceful enjoyment of its cottages.

For Petitioner in all WPs : Mr.P.S.Raman, Sr.C
for Roshan Balasubramanian For
Respondents in all WPs : Mr.N.Inbanathan, AGP

COMMON ORDER

The petitioners in all these four writ petitions having cottages in their Tea Estate used as Guest houses. On 01.08.2018, the 2nd respondent issued notice under the Tamil Nadu Public Building (Licensing) Act, 1965, in respect of all the four Bungalows used as Guest house to apply for requisite license. For want of structural soundness certificate, notice was issued threatening to seal. In fact one of the Bungalows by name Monica Garden Bungalow was sealed and access denied. Hence, the writ petitions have been filed challenging the act of the 2nd respondent.

2. The learned Additional Government Pleader appearing for the respondents would submit that there is no illegality in the notice caused. Since the buildings used as Guest houses were not functioning with due permission and the petitioners have also not obtained license from the competent authority, action has been initiated under the Tamil Nadu Public Building (Licensing) Act, 1965.

3. Pending these writ petitions, the petitioners have submitted all the requisite certificates including

structural stability certificate to the 2nd respondent and awaiting for orders.

4. In such circumstances, it is suffice to direct the 2nd respondent to consider the application for license submitted by the petitioners and pass orders within a period of six weeks from today.

5. With the above directions, this writ petitions are disposed of. Consequently, the connected miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rpl
To

- 1.The Revenue Secretary,
Government of Tamilnadu,
Fort St.George, Chennai-600 009.
- 2.The Competent Authority under
Tamilnadu Public Building (Licensing) Act 1965,
Taluk Executive Magistrate and Tahsildar,
Valparai, Coimbatore District-642 127.

+2ccs to Mr.Roshan Subramanian , Advocate SR.No.
85235,85975

+1 cc to Government Pleader Sr.No. 85617

W.P.Nos.28191,28195, 28198 & 28203 of 2019
and

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A.SK(05/11/2019)

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