



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 01.11.2019
CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

WEB COPY

W.P (MD) No.21840 of 2019
and
W.M.P. (MD) Nos.18580, 18583 and 18584 of 2019

P.Kolappapillai ... Petitioner
Vs.

1. The Commissioner,
Commissionerate for Welfare of the
Differently Abled,
Chennai.
2. The District Collector,
Collectorate, Kanyakumari District.
3. The District Differently Abled Persons Welfare Officer,
Kanyakumari District.
4. The Child Welfare Officer,
Nagercoil, Kanyakumari District.

5. V.krishnamani ... Respondents

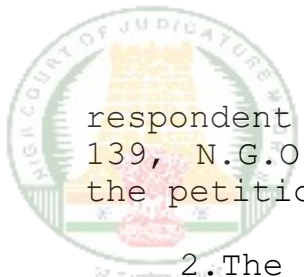
PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorarified mandamus, to call for the records of impugned order passed by the second respondent herein in his proceedings in செ.மு.எண். 1369/2019, dated 25.05.2019 and quash the same as illegal as far as to the extend of sealing the premises in Door No.A-139, N.G.O.Colony, Kottar Post, Nagercoil, Kanyakumari District and further direct the second respondent herein to hand over the key of the premises in Door No.A-139, N.G.O.Colony, Kottar Post, Nagercoil, Kanyakumari District to the petitioner.

For Petitioner : Mr.G.Mohankumar
For Respondents : Mrs.J.Padmavathi Devi,
Special Government Pleader.

O R D E R

This Writ Petition has been filed to challenge impugned order passed by the second respondent herein in his proceedings in செ.மு.எண். 1369/2019, dated 25.05.2019 and further direct the second

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respondent herein to hand over the key of the premises in Door No.A-139, N.G.O.Colony, Kottar Post, Nagercoil, Kanyakumari District to the petitioner.

2.The petitioner is the landlord of building situate in Door No.A-139, N.G.O.Colony, Kottar Post, Nagercoil, Kanyakumari District. He leased out the said building to one Krishnamani for running School for specially abled children. On a complaint given by one of the coordinators of 'Anbin Sigaram Special School', the premises was locked and sealed. The children were admitted in some other institution and action was taken against the Correspondent of the School.

3.After closure of the school, the petitioner approached the respondents for releasing the house property in his favour. Since no action was taken by the respondents, he approached this Court.

4.After receipt of notice issued by this Court, the third respondent issued a communication dated 10.10.2019, as per which the school was functioning in a leased premises and it was closed for certain irregularities pursuant to the complaint given. Since a case has already been registered, there is no impediment for the third respondent to hand over possession of the building to the landlord, after taking inventory of articles available inside the building.

5.In view of the statement made, the third respondent is directed to take inventory and hand over vacant possession of the premises to the petitioner within a period of four weeks from the date of receipt of a copy of this order.

6.This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Commissioner,
Commissionerate for Welfare of the
Differently Abled,
Chennai.
2. The District Collector,
Collectorate, Kanyakumari District.



3. The District Differently Abled Persons Welfare Officer,
Kanyakumari District.
4. The Child Welfare Officer,
Nagercoil, Kanyakumari District.

+1 CC to Mr.G.MOHAN KUMAR, Advocate (SR-95668[F] dated 01/11/2019)
+1 CC to SPL GP (SR-96059[F] dated 05/11/2019)

W.P(MD)No.21840 of 2019
and

W.M.P. (MD)Nos.18580, 18583 and 18584 of 2019
01.11.2019

das

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