

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.03.2020

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.NO.1881 OF 2020

AND

WMP.NOS.2207 AND 2208 OF 2020

Sakthi Corporate Ladies Hostel,
Rep. by its Proprietrix Mrs.S.Sampooranam,
No.13 and 14, Swaminathan Street,
Ekkattuthangal, Chennai 600 032.

... Petitioner

vs

1. The District Collector,
Collectorate of Chennai,
Singaravelar Maaligai,
No.62, Rajaji Salai,
Chennai 600 001.
2. The District Social Welfare Officer,
Singaravelar Maaligai,
8th Floor, Collectorate Complex,
Rajaji Salai,
Chennai 600 001.
3. The Tahsildar, Guindy Taluk,
Guindy, Chennai 600 032.
4. Raja
5. R.Geethanjali
(Respondents R4 and R5 impleaded by KRCBJ as per order
of this Court dated 12.03.2020 and made in WMP.No.4287/20
in WP.No.1881 of 2020)

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of certiorarified Mandamus to call for the records from the first respondent and quash the impugned orders of the first respondent and consequently direct the first respondent to grant the license for the Sakthi Corporate Ladies Hostel.

For Petitioner : Ms.Sashikala Raman

For Respondents: Mr.R.Govindasamy for R1 to R3
Special Government Pleader
Mr.K.M.Kanishkaran for R4

O R D E R

The petitioner is aggrieved against the order of the first respondent dated 13.01.2020. Consequently, the petitioner seeks for direction to the first respondent to grant license for Sakthi Corporate Ladies Hostel.

2. Heard the learned counsel for the petitioner, learned Special Government Pleader for the respondents 1 to 3 and the learned counsel for the impleaded fourth respondent.

3. The fourth respondent is the owner and the petitioner is the tenant in respect of premises bearing Nos.13 and 14, Swaminathan Street, Ekkattuthangal, Chennai-600032. According to the petitioner, a Corporate Ladies Hostel is being run by the petitioner in the above said premises and that she has applied for issuing license for running such hostel, before the first respondent. However, the impugned order was passed by the first respondent on the reason that the petitioner has not registered the said Ladies Hostel before the District Social Welfare Officer, viz., the second respondent and that no license was given by the first respondent. Therefore, the first respondent, based on the complaint given by the fourth respondent/land owner, sealed the premises.

4. Though the learned counsel for the petitioner contended that an application was filed before the first respondent seeking for license in respect of the above said premises, it is specifically stated by the respondents that no such application was filed by the petitioner and is pending before the first respondent. It is also stated that the petitioner has not applied before the second respondent for registration of the ladies hostel at the abovesaid address, before the second respondent.

5. Under such circumstances, I do not find any error or illegality in the order passed by the first respondent, impugned in this writ petition. Moreover, it appears that there is a dispute pending between the petitioner and the fourth respondent with regard to the said property before the Rent Control Authority.

6. Under the above stated facts and circumstances, I find that the petitioner has not made out any case for interference with the impugned order. However, it is open to the petitioner to work out her remedy before the appropriate forum by filing necessary applications seeking license and registration of the ladies hostel, provided the rent control proceedings initiated by the fourth respondent and pending before the competent authority is not an hindrance for considering those applications. The writ petition is dismissed accordingly. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(MDU)

//True Copy//

Sub Assistant Registrar

vri

To

1. The District Collector,
Collectorate of Chennai,
Singaravelar Maaligai,
No.62, Rajaji Salai,
Chennai 600 001.
2. The District Social Welfare Officer,
Singaravelar Maaligai,
8th Floor, Collectorate Complex,
Rajaji Salai,
Chennai 600 001.
3. The Tahsildar,
Guindy Taluk,
Guindy, Chennai 600 032.

+1cc to the Government Pleader, S.R.No.24313

WEB COPY

W.P.No.1881 of 2020

and

WMP Nos.2207 and 2208 of 2020

PPA(CO)
CS/20/07/2020