

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2020

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH  
and  
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

Writ Petition No.5226 of 2020

Dinesh Jain  
S/o.Jawaharlal Chordia Jain

... Petitioner

Vs

- 1.The Commissioner,  
Greater Chennai Corporation,  
Ripon Building,  
Chennai - 600003.
- 2.The Assistant Engineer,  
Div.057, Greater Chennai Corporation,  
No.105, Basin Bridge Road,  
Chennai - 600079.
- 3.The Executive Engineer,  
Zone-5, Greater Chennai Corporation,  
No.105, Basin Bridge Road,  
Chennai - 600079.
- 4.The Assistant Executive Engineer,  
Greater Chennai Corporation,  
No.105, Basin Bridge Road,  
Chennai - 600079.
- 5.Sri Jian Setamber Terapanthi Trust Board,  
represented by its Managing Trustee,  
Gokul Chand Bhandari,  
No.34, Managappan Street,  
Sowcarpet, Chennai - 600079.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing respondents 1 to 4 to de-seal the premises and to permit the petitioner to take his business belongings relating to M/s.Dinesh Metal Shop

situated in Ground Floor Door No.34, Mangappan Street, Facing Ramanan Street, Sowcarpet, Chennai - 79 of the premises belonging to the fifth respondent.

For Petitioner : Mr.Venkatesh

For Respondents: Mr.K.Raja Shrinivas [R1 to R4]

O R D E R

[Order of this Court was made by R.SUBBIAH, J]

Petitioner has filed the present Writ Petition seeking issuance of a Writ of Mandamus directing respondents 1 to 4 to de-seal the premises and to permit the petitioner to take his business belongings relating to M/s.Dinesh Metal Shop situated in Ground Floor Door No.34, Mangappan Street, Facing Ramanan Street, Sowcarpet, Chennai - 79, of the premises belonging to the fifth respondent.

2. Heard learned counsel for petitioner and learned standing counsel appearing for respondents 1 to 4.

3. Learned counsel for petitioner submits that petitioner was a tenant under the fifth respondent. The grievance of the petitioner is that at the instigation of fifth respondent, respondents 1 to 4 locked and sealed the shop and petitioner was not permitted to remove the business materials from the shop. Hence, the present petition has been filed seeking the aforesaid relief.

4. Learned standing counsel appearing for respondents 1 to 4 submits that respondents 1 to 4 are ready to remove the seal for a particular day to enable the petitioner to remove the articles from the shop.

5. Learned counsel for petitioner has also acceded to the said submission.

6. In view of the order that is going to be passed, notice to fifth respondent is dispensed with. Accordingly, this Court directs respondents 1 to 4 to fix a particular day, after giving notice to fifth respondent, within one week from the date of receipt of this order to enable the petitioner to remove the articles and after removal of articles, respondents 1 to 4 are directed to seal the premises.

The Writ Petition is disposed of with the above direction.  
No costs.

Sd/-  
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

- 1.The Commissioner,  
Greater Chennai Corporation,  
Ripon Building,  
Chennai - 600003.
- 2.The Assistant Engineer,  
Div.057, Greater Chennai Corporation,  
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No.105, Basin Bridge Road,  
Chennai - 600079.
- 4.The Assistant Executive Engineer,  
Greater Chennai Corporation,  
No.105, Basin Bridge Road,  
Chennai - 600079.

+1cc to Mr.S.Venkatesh, Advocate Sr.17814  
+1cc to Mr.K.Raja Sri Nivas, Advocate Sr.17860

Writ Petition No.5226 of 2020

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srg 21/07/2020