

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.No.6842 of 2020

C.Nagiraj Khicha

.. Petitioner

Vs.

1.Kotak Mahindra Bank
rep. by its Authorized Officer
Srinivas Ponduri

2.The Chief Metropolitan Magistrate,
Egmore, Chennai - 8.

3.M/s.Esjaypee Impex Private Limited
rep. by its Managing Director
Mahendraparmar

4.Pattubhai Phukaraj

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the first respondent Bank to remove the illegal lock in the petitioner's shop situated at Ground Floor, Right Side, 6th Shop, Old No.167, New No.156, Govindappa Naicken Street, Chennai - 1 and permit the petitioner to take his belongings, stocks and other items.

For Petitioner .. Mr.C.T.Murugappan

For Respondents .. Mr.J.Senthilkumar
and R.Sidharth for R1
R2 - Court

ORDER

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

Petitioner, who is a tenant of the premises, which is under lock and key, has filed the present writ petition, seeking removal of the lock so as to enable him to take out all his belongings.

2.Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the first respondent.

3.Learned counsel appearing for the petitioner submits that similar orders have been passed by this Court, which factum is not disputed by the learned counsel for the first respondent. It is further submitted that a week's time may be granted to remove the belongings of the petitioner.

4.Considering the above, we are inclined to grant a week's time from the date of receipt of a copy of this order to remove the belongings of the petitioner on condition that the petitioner shall not create any nuisance or other problem including a possible damage to the property. Such removal will have to be made in the presence of the official of the first respondent.

5.With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mmi
To

The Chief Metropolitan Magistrate,
Egmore, Chennai - 8.

W.P.No.6842 of 2020

A.SK(19/03/2020)

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