

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.09.2020

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.M.P.No.13873 of 2020

in

W.P.No.9043 of 2020

P.Sathish Kumar

... Petitioner

vs

1. The Chairman,
(The District Collector),
The Committee Administration of
Jawans Market Committee,
Officers Line, Vellore -1,
Vellore District.

2. The Thasildar,
Vellore Taluk,
Vellore District.

3.The Assistant Director/Secretary,
Ex-Servicemen's Welfare Board,
Jawans Bhavan,
Officer's Line,
Vellore-1.

... Respondents

Prayer:

Writ Miscellaneous Petition filed under Article 226 of the Constitution of India praying for extension of time granted in W.P.No.9043 of 2020 vide order dated 23.07.2020, by allowing the present writ miscellaneous petition.

WP.No.9043/20 Prayer:

Writ Petition praying to calling for the entire records in pursuant to the proceedings in Na.Ka.P1/846/2020 dated 01.06.20 issued by the 2nd Respondent to quash the same.

For Petitioner : Mr.Jaya Prakash
for Mr.K.Suthan

For Respondents : Mr.R.Govindasamy
Special Government Pleader

O R D E R

This matter is taken up for hearing through Video Conferencing mode.

2. This writ miscellaneous petition is filed seeking for extension of time granted by this Court vide order dated 23.07.2020 in W.P.No.9043 of 2020.

3. Heard both sides.

4. When this matter was taken up for hearing on 27.08.2020, the learned Special Government Pleader took notice for the respondents and sought time to get instructions. Accordingly, the matter is listed today for further hearing.

5. The learned Special Government Pleader today submitted that though he has intimated to the respondents, he has not received any instructions from them so far.

6. The learned counsel for the petitioner submitted that 4 weeks time granted by this Court to vacate and hand over the vacant possession to the 3rd respondent was not sufficient in view of the present pandemic situation, more particularly, when the petitioner is not in a position to find out a new place to relocate his business. Therefore, the learned counsel sought atleast 6 months time to vacate.

7. This Court has considered the above submission and however, find that 6 months time sought by the petitioner is wholly unreasonable. However, by taking note of the present pandemic situation and that the Government has also relaxed the lock down conditions liberally, the petitioner has to find out alternative place and relocate his shop at the earliest. Thus, the petitioner is granted time till 30.11.2020 to vacate and hand over the vacant possession to the third respondent. The petitioner is directed to file an affidavit of undertaking to that effect before the Registry also by marking a copy to the respondents. If the petitioner fails to vacate the premises on or before 30.11.2020, the respondents are at liberty to evict the petitioner with police protection and take possession. The affidavit of undertaking shall be filed by the petitioner within

a week.

8. Accordingly, this Writ Miscellaneous Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mk/vri
To

1. The Chairman,
(The District Collector),
The Committee Administration of
Jawans Market Committee,
Officers Line, Vellore -1,
Vellore District.
2. The Thasildar,
Vellore Taluk,
Vellore District.
3. The Assistant Director/Secretary,
Ex-Servicemen's Welfare Board,
Jawans Bhavan,
Officer's Line,
Vellore-1.

Copy to:

1. The Registrar,
Judicial Section,
High Court, Madras-104.
2. The Section Officer,
Writ Section,
High Court, Madras-104.

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W.M.P.No.13873 of 2020
in
W.P.No.9043 of 2020

MG(CO)
CB(21/09/2020)