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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:21.09.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.12976 of 2020

and

W.M.P.Nos.16057, 16058 and 16060 of 2020

B. Ravi kumar
s/o B. Dasarathan
No. 2/ 78, 2nd Main Road, BHEL Nagar,
Medavakkam, Chennai 600 100.

...Petitioner

Vs.

1. The commissioner of Police,
Greater Chennai Corporation
No.132, Commissioner Office Building,
EVK Sampath Road, Verperiy,
Periyamet, Chennai 600 007.
2. The Inspector of Police,
S- 10, Pallikaranai Police Station,
Chennai - 600 100.
3. C. Prakash
S/o R. Chandrappa
893, MunusamySalai,
K.K. Nagar West, K K Nagar,
Chennai 600 078.
4. P. Eswari
W/o C. Prakash
893, MunusamySalai,
K.K. Nagar West K K Nagar,
Chennai 600 078.
5. C. Gokul Prakash
S/o C. Prakash,
39, Kaliammankoil Street,
Natesa Nagar, Virugambakkam
Chennai 600 078.
6. A. Fahad Jahangir
S/o Abdul Salam,
25/4, 2nd Floor
Sri Ramar Street,
Saligraman, Chennai 600 093.



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7. Keerthi Easwaran
S/o Sridhar,
No.77/34, Ezhuthukaran Street,
Kaladipet, Thiruvottriyur,
Thiruvallur, TN 600 019.

... Respondent

PRAYER: This writ petition is filed under Article 226 of the Constitution of India read with Section 482 of Code of Criminal Procedure, directing respondents 1 and 2 to close the gymnasium running under name :BURN OUT Unisex Fitness Studio" at First Floor, Plot no. 24 & 25 P.M.D Nagar, Vellakkal Medavakkam Main Road, Chennai - 600 017 and consequently put the petitioner and his parents back in possession at First Floor, Plot No. 24 & 25, P.M.D. Nagar, Vellakkal Medavakkam Main Road, Chennai 600 117 and pass orders.

For Petitioner : Mr.E.K.Kumaresan

For Respondents1 and 2: Mr. S. Karthikeyan
Additional Government Pleader

ORDER

This petition has been filed directing the respondents 1 and 2 to close the gymnasium running under the name and style of "Burn Out Unisex Fitness Studio" at First Floor, Plot No. 24 and 25, P.M.D .Nagar, Velakkal Medavakkam Main Road, Chennai 600 017.

2. It is seen that there is a landlord tenant dispute between the petitioner and the respondent 3 to 7 herein. On perusal of the records, it is seen that, according to the petitioner originally the respondents 3 to 7 were entered as tenants in the year 2015 to conduct business of Garments. In the year 2020 they converted the said business into Gym in the name and style of " Burn Out Unisex Fitness Studio" without any proper license from the authorities concerned. The petitioner also alleged that the respondents 3 to 7 did not pay the rent and when it was questioned by the petitioner, the petitioner was threatened by the respondents 3 to 7 with dire consequences. Therefore, the petitioner lodged a complaint and he was issued CSR on 12.08.2020. in CSR No. 320 of 2020 and it was pending on the file of the respondent.

3. The learned Additional Public Prosecutor submitted that on the complaint lodged by the petitioner, he was issued CSR No.520 of 2020 dated 20.08.2020 and it is pending for enquiry.

4. Therefore, without going to the merits of the complaint or the allegations as levelled against the



respondents 3 to 7, the 2nd respondent is directed to conduct enquiry on the complaint lodged by the petitioner herein dated 20.08.2020, after issuing notice to the respondents 3 to 7 herein and conduct enquiry and pass orders on merits and in accordance with law, within a period of 8 weeks from the date of receipt of a copy of this order.

5. With the above directions, this writ petition is disposed of. Consequently the connected miscellaneous petitions are closed. No Costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

smn

To

- 1.The commissioner of Police,
Greater Chennai Corporation
No.132, Commissioner Office Building,
EVK Sampath Road, Verpery,
Periyamet, Chennai 600 007.
- 2.The Inspector of Police,
S- 10, Pallikaranai Police Station,
Chennai - 600 100.
- 3.The Public Prosecutor,
High Court, Madras.

W.P.No.12976 of 2020
and

W.M.P.Nos.16057, 16058 and 16060 of 2020

RSV(CO)
CB(02/11/2020)