

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2021

CORAM

THE HON'BLE Ms. JUSTICE R.N.MANJULA

C.R.P.(NPD).Nos.4371 & 4372 of 2015

and

M.P.Nos.1,1,2 &2 of 2015

M/S.Lakshminarayana Mineral Mining Company,

Rep. By Manager, R.R.Mohan.

... Petitioner/Appellant

in CPR.No.4371/2015

M/S.Kariganur Mineral Mining Industry,

Rep. By its Executive,

No.4, Rahimabad Colony, Infantry,

Cantonment, Bellary-583 104.

... Petitioner/Appellant

in CPR.No.4372/2015

Vs.

The Estate Officer,

Chennai Port Trust,

No.1, Rajaji Road,

Chennai 600 001.

... Respondent/Respondent in both CRPs.

COMMON PRAYER : These Civil Revision Petitions filed under Article 227 of the Constitution of India, against the common judgement dated 09.3.2015 made in CMA.No.40 of 2012 on the file of the Principle District Judge, City Civil Court, Chennai.

In Both CRPs.

For Petitioner : Mr.R.Rajagopal

For Respondent : Mr. P.M.Subramanian

COMMON ORDER

(Heard through video conferencing)

These Civil Revision Petitions have been arisen out of a common order dated 09.03.2015 passed by the learned Principal Judge City Civil Court, Chennai in C.M.P.No.431 of 2014 in CMA.No.40/2012 and C.M.A.41/2012. Since the issue involved in both the Civil Revision Petitions are identical, they are disposed of by a common order.

2. The Civil Revision petitioners were the petitioners before the City Civil Court also. They have filed an Appeals before the Principal City Civil Court, challenging the eviction order passed by the respondent herein dated 20.06.2012 vide reference No. MEE/V1/2130/2009/Dy.CME(OH), under Section 5 (1) of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 (in short, 'the Act'). During the pendency of these Revision Petitions, the revision petitioners has moved a petition in CMP No.43 of 2014, seeking permission of the Court to sell the Cargo(Iron Ore) lying in the stacking transit area allotted to the revision petitioners.

3. During the pendency of these revision petitions, eviction proceedings have been completed and the petitioners were evicted and the Cargo (iron ore) was also sold by the respondent themselves in compliance of Section 6 of the Act. As of now, nothing survives in this subject matter. However, the learned counsel for the respondent filed

an additional typed set of papers by attaching the documents showing the disposal of the Cargo and computation of the demurrage charges and entries for appropriating the sale proceedings towards demurrage charges. It is further submitted by the learned counsel for the petitioners that disposal of these Civil Revision Petitions should not take away their rights to challenge the computation of the demurrage charges so made by the respondent.

4. Admittedly, the litigation now pending before this Court is not concerned with the computation of demurrage charges. Hence the order passed in these Civil Revision Petition would not have any impact on the computation of demurrage charges or the challenges that could be made by the revision petitioners.

With the above observation, these Civil Revision Petitions are **dismissed** as infructuous. No costs. Consequently, connected miscellaneous petitions are also closed.

29.06.2021

WEB COPY

Speaking/Non-speaking

Index : Yes/No

Internet : Yes/No

jrs

R.N.MANJULA,J.

Jrs

To

- 1.The Principle District Judge,
City Civil Court, Chennai.
- 2.The Estate Officer,
Chennai Port Trust,
No.1, Rajaji Road,
Chennai 600 001.
- 3.The Section Officer,
V.R.Section,
High Court, Madras.



C.R.P.(NPD).Nos.4371 & 4372 of 2015
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