



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.29944 OF 2013

AND

M.P.NO.1 OF 2013

Nungambakkam Cultural Academy Trust,
36, Jubilee Road, West Mambalam,
Chennai - 600 033,
Rep. by:S.Venkataraman,
Managing Trustee/General Secretary.

... Petitioner

.Vs.

1. The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai - 600 003.
2. The DRO Land and Estates,
Corporation of Chennai,
Rippon Buildings,
Chennai - 600 003.
3. The Karnataka Sangha,
Rep. By the Vice President
Mr.K.V.Acharya,
Old No.36, New No.111,
Habibullah Road, T-Nagar,
Chennai - 600 017.

... Respondents

PRAYER:-

Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the said respondents 1 and 2 to forth with investigate and enquire into the breach of covenants of lease of committed by the 3rd respondent in sub-letting the property for commercial purposes in terms of clauses 6 and 10 of the Lease Deed dated 14.10.1986, also terminate the lease deed dated 14.10.1986 and take possession of the property bearing Door No Old No.36, New No.111, Habibullah Road, T.Nagar, Chennai - 600 017.



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For Petitioner : M/s.G.Uma Maheswari

For Respondents : M/s.Karthikaa Ashok
[For R1 and R2]

Mr.P.B.Balaji
[For R3]

O R D E R

The writ on hand has been instituted to direct the respondents 1 and 2 to forth with investigate and enquire into the breach of covenants of lease of committed by the 3rd respondent in sub-letting the property for commercial purposes in terms of clauses 6 and 10 of the Lease Deed dated 14.10.1986, also terminate the lease deed dated 14.10.1986 and take possession of the property bearing Door No Old No.36, New No.111, Habibullah Road, T.Nagar, Chennai - 600 017.

2. The learned counsel appearing on behalf of the respondents/Chennai Corporation made a submission that during the pendency of the writ petition, the Corporation officials conducted inspection and issue directions to remove all such commercial establishments and the said establishments were already removed. Further, the third respondent/School authorities gave an undertaking to the Corporation of Chennai that they will utilize the property only for educational purposes and not for any other purpose.

3. Thus, the grievances of the petitioner has already been redressed and as of now, the third respondent is not utilizing the leased property for any other purpose other than the educational purposes, for which, it was leased out.

4. In view of the facts and circumstances, no further adjudication needs to be undertaken with reference to the relief sought for in the present writ petition.

5. Accordingly, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai - 600 003.

2. The DRO Land and Estates
Corporation of Chennai
Rippon Buildings,
Chennai - 600 003.

+1cc to M/s.Karthikaa Ashok, Advocate, S.R.No.57944

+1cc to Mr.P.B.Balaji, Advocate, S.R.No.57771

W.P.NO.29944 OF 2013

KSM(CO)
PBS/22/11/2021