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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 01.10.2021

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

W.P. No.21178 of 2021

M/s.The Triangles,
Rep. by its Co-partner C.Balamurugan,
No.T-23A, 7th Avenue, Besant Nagar,
Chennai 600 090.

... Petitioner

Versus

1. The Principal Secretary/The Commissioner,
Greater Chennai Corporation,
Rippon Building,
Chennai 600 003.
2. The Executive Engineer,
Zone-XIII, Greater Chennai Corporation 115,
Dr.Muthulakshmi Salai,
Adyar,
Chennai 600 020.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the respondents to forthwith remove the lock and seal in respect of the premises of petitioner Company situated at No.T-23A, 7th Avenue, Besant Nagar, Chennai 600 090, enabling them to remove the articles and valuables and to vacate the premises as per the time stipulated by this Court on the basis of the representation of the petitioner dated 23.09.2021.

For petitioner : M/s.V.Sahaana

For respondents: Mr.K.Raja Shrinivas



ORDER

(The Order of the Court was made by K.KALYANASUNDARAM, J)

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The Writ Petition is heard through video conferencing.

2. The petitioner has come up with this Writ Petition for issuance of Writ of Mandamus, directing the respondents to forthwith remove the lock and seal in respect of the premises bearing No.T-23A, 7th Avenue, Besant Nagar, Chennai 600 090 to enable him to remove the articles and valuables from the said premises, on the basis of his representation dated 23.09.2021.

3. It appears that the petitioner is a lessee of the land and building situated at No.T-23A, 7th Avenue, Besant Nagar, Chennai 600 090. The respondents initiated the proceedings on account of the fact that the building is an unauthorised construction. After issuing lock and seal notice, the premises was sealed by the respondents on 23.11.2020.

4. It is pertinent to note that in W.P.No.16273 of 2021, the petitioner was given time from 09.08.2021 to 19.08.2021 to remove the articles from the said premises.

5. Ms.V.Sahaana, learned counsel appearing for the petitioner would state that the order in the said Writ Petition could not be utilised by the petitioner for the reason that the partner of the petitioner is infected with Covid-19 and hence, this Writ petition has been filed. If the petitioner is given 20 days time, he is ready to remove all the articles.

6. Mr.K.Raja Shrinivas, learned counsel appearing for the second respondent would state that the second respondent is now facing contempt proceedings and hence, a shorter date may be given to the petitioner to remove the articles.

7. In the light of the submissions of the learned counsels and taking note of the fact that this Court has already granted time in W.P.No.16273 of 2021, the second respondent is hereby directed to remove the lock and seal from 04.10.2021 to 18.10.201 to enable the petitioner to remove the articles.



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8. With the above observation and direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

pvs

To

1. The Principal Secretary/The Commissioner,
Greater Chennai Corporation,
Rippon Building,
Chennai 600 003.
2. The Executive Engineer,
Zone-XIII, Greater Chennai Corporation 115,
Dr.Muthulakshmi Salai,
Adyar, Chennai 600 020.

+2cc to Mr.V.Sahaana, Advocate Sr.51076

W.P. No.21178 of 2021

kv[co]
srg 01/10/2021