

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2021

CORAM:

THE HONOURABLE MR. JUSTICE B. PUGALENDHI

W.P.No.19790 of 2020

M.Balasubramanian

... Petitioner

..Vs..

1. The Commissioner,
Erode Corporation,
Erode.

... Respondent

This Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the records of the respondent herein vide Na.Ka.No.A1/3744/2020 dated 17.09.2020 and quash the same.

For Petitioner : M/s.Surya Teja Nalla

For Respondent : Mr.Raja Mathivanan
Standing Counsel

ORDER

This writ petition has been filed for the issuance of a Writ of Certiorari calling for the records of the respondent herein vide Na.Ka.No.A1/3744/2020 dated 17.09.2020 and quash the same.

2. The petitioner is a lessee of the respondent Corporation. He has filed this writ petition as against the impugned order dated 17.09.2020 calling upon the petitioner to vacate the premises and to hand over the possession to the respondent for implementing the scheme announced by the Government of India, and other lessees of the Corporation have also filed similar writ petitions before this Court in W.P.No.14088 of 2020 etc., and those writ petitions were dismissed by this Court vide order dated 23.12.2020 enabling the petitioners to hand over the possession on or before 31.03.2021 which reads as follows:-

" 23. In the considered view of this Court, this Court does not find any illegality or infirmity in the procedure followed by the respondent Corporation while issuing the impugned Eviction Notices to the petitioners. There is no ground to interfere with the impugned notices issued by the respondent Corporation. However, taking into consideration the facts and circumstances of the case and in order to give some time to the petitioners to look for an alternative place to do their business till the new Building Complex is put up by the respondent Corporation, this Court is inclined to grant time to the petitioners till 31.03.2021 to vacate and handover the shops to the respondent Corporation. If the shops are not vacated and handed over within the time limit fixed by this Court it is left open to the respondent Corporation to take possession of the Shops and proceed further with the project.

24. In the result, all the writ petitions are dismissed with the above directions. No costs. Consequently all the connected miscellaneous petitions are closed".

3. When the matter is taken up for hearing, the learned counsel for the petitioner has conceded for a similar order in this writ petition enabling the petitioner to vacate the premises on or before 31.03.2021.

4. In view of the earlier order passed by this Court dated 23.12.2020 this writ petition is dismissed with a direction to the petitioner to hand over the premises to the respondent on or before 31.03.2021. No costs.

Sd/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

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To

1. The Commissioner,
Erode Corporation,
Erode.

+1CC to Mr.Srinath Sridevan, Advocate SR.2785.

W.P.No.19790 of 2020

UM (CO)
NRA (12/02/2021)



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