



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2021

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA
and
THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.A.No.2322 of 2018 and C.M.P.No.18504 of 2018

Sujith Cherrian

... Appellant/Petitioner

-vs-

1. The Commissioner,
Municipal Administration and
Water Supply Department,
Chepauk, Chennai - 600 005.
2. The Commissioner,
Greater Chennai Corporation,
"Rippon Buildings", Park Town,
Chennai - 600 003.
3. The Zonal Officer, Zone-9,
Greater Chennai Corporation,
No.1, Lake Area, 4th Cross Street,
Nungambakkam,
Chennai - 600 034.
4. The Assistant Revenue Officer, Zone-9,
Greater Chennai Corporation,
No.1, Lake Area, 4th Cross Street,
Nungambakkam,
Chennai - 600 034.

... Respondents/Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent Act against the order dated 29.06.2018 made in W.P. No.19107 of 2017 on the file of this Court.

Prayer in W.P.No.19107 of 2017: To issue a Writ of Certiorari, to call for the records of the third respondent pertaining to the impugned letters/Notice dated 28.04.2017 made in Z.O.9.V.M.Na.Ka.No.R3/0203/2017 issued by the third respondent and quash the same.



WEB COPY

For Appellant : No appearance

For Respondents : Mr.M.Ganesan
for R2 to 4

Mr.T.Arunkumar,
Government Advocate for R1

JUDGMENT

(Judgment of this Court was delivered by T.RAJA,J.)

This writ appeal has been directed against the impugned order dated 29.06.2018 passed by the learned Single Judge in W.P. No.19107 of 2017 wherein the appellant being the licensee of Shop No.2 of the respondent Corporation was given option to accept the offer given by the respondents within a period of one month and also to pay arrears within a period of two months, failing which, he was deemed to have vacated the tenement.

2.Learned counsel appearing for the Corporation/respondents 2 to 4 submitted that in spite of the above direction given by the learned Single Judge, the appellant has not paid the arrears amount of Rs.7,51,660/- towards lease rent and he has been keeping the shop under lock and key, but has removed all the articles from the shop.

3.Learned Government Advocate appearing for the first respondent, drawing our notice to an order dated 19.04.2018 passed by the Division Bench of this Court in Writ Appeal Nos.203, 204, 362 and 363 of 2018, submitted that similarly placed persons as that of the appellant was granted time till 04.06.2018 to pay the enhanced lease amount as demanded by the Municipality, failing which, liberty was given to the Municipality to proceed further to conduct tender cum public auction of the shops in question.

4.When the matter was taken up on 10.08.2021, there was no representation on behalf of the appellants and therefore, the registry was directed to list the matter under the caption 'for dismissal' today. Even today there is no representation for the appellants.

5.As it appears that the appellant has not made use of the opportunities given by this Court to clear the arrears amount and has removed all the articles from the shop and also not



appeared in the auction, this writ appeal stands dismissed.
Consequently, C.M.P. No.18504 of 2018 is closed. No costs.

WEB COPY

Sd/-
Assistant Registrar (CS-VI)

// True Copy//

Sub Assistant Registrar

vga

To

1. The Commissioner,
Municipal Administration and
Water Supply Department,
Chepauk, Chennai - 600 005.
2. The Commissioner,
Greater Chennai Corporation,
"Rippon Buildings", Park Town,
Chennai - 600 003.
3. The Zonal Officer, Zone-9,
Greater Chennai Corporation,
No.1, Lake Area, 4th Cross Street,
Nungambakkam,
Chennai - 600 034.
4. The Assistant Revenue Officer, Zone-9,
Greater Chennai Corporation,
No.1, Lake Area, 4th Cross Street,
Nungambakkam,
Chennai - 600 034.

+1cc to the Government Pleader, S.R.No.40079

W.A.No.2322 of 2018 and C.M.P.No.18504 of 2018

AJS (CO)
SU(27/08/2021)