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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:23.11.2022

Coram:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P. No.34789 of 2007
and M.P.Nos.1 of 2007 & 1 of 2008

G.Jayakumar ... Petitioner

Vs.

1.Union of India rep.by its
Chief Commissioner of Central Excise
Mahatma Gandhi Road
Nungambakkam, Chennai – 600 034.
2.The Director of Estates
Office of the Directorate of Estates
AEM – C Section, Shastri Bhavan
Chennai – 600 034.
3.The Estate Officer
Office of the Directorate of Estates
AEM – C Section, Shastri Bhavan
Chennai – 600 034. ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the impugned order passed by the 3rd respondent dated 22.08.2007, bearing No.C/19/68/2007/AEM (M) (M)/2790 and all further proceedings pursuant to the same and quash the same and consequently direct the respondents to permit the petitioner to remain in public premises / Government

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accommodation in bearing Door No.24/12, CPWD Quarters, K.K.Nagar, Chennai – 600 078.

For Petitioner : Mr.K.Raja
For Respondents : Mr.C.Kulanthaivelu, SPC

ORDER

This Writ Petition has been filed praying for issuance of Writ of Certiorarified Mandamus, calling for the impugned order passed by the 3rd respondent dated 22.08.2007, bearing No.C/19/68/2007/AEM (M)(M)/2790 and seeks to quash the same and consequently to direct the respondents to permit the petitioner to remain in public premises / Government accommodation, bearing Door No.24/12, CPWD Quarters, K.K.Nagar, Chennai – 600 078.

2.Today, when the matter is taken up for hearing, the learned counsel for the petitioner would submit that the petitioner undertakes to vacate the premises on or before 31.12.2022.

3.The learned Senior Panel Counsel appearing for the respondents brought to the notice of this Court that the petitioner has been compulsorily

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retired from service in the year 2016 itself and he is squatting over the Government accommodation, without paying license fee and penal damages.

4.Recording the submissions made by the learned counsel appearing for the petitioner that the petitioner would vacate the premises on or before 31.12.2022, the petitioner is directed to vacate the premises and hand over the possession on or before 31.12.2022. If the petitioner fails to vacate the premises, the respondents shall take the aid of the police, to vacate him from the said premises. As far as License fee and penal damages are concerned, the respondents are at liberty to proceed against the petitioner in the manner known to law.

5.In the result, this Writ Petition is disposed of on the above terms. No costs. Consequently connected miscellaneous petitions are closed.

23.11.2022

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Index:Yes/No
Internet:Yes/No
Speaking Order: Yes/No
To
1.The Chief Commissioner of Central Excise
Union of India
Mahatma Gandhi Road
Nungambakkam, Chennai – 600 034.
2.The Director of Estates
Office of the Directorate of Estates
AEM – C Section, Shastri Bhavan
Chennai – 600 034.
3.The Estate Officer
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J.NISHA BANU, J.,

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