



W.P.No.16441 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2022

CORAM

THE HON'BLE **MR.JUSTICE C.SARAVANAN**

W.P.No.16441 of 2022

M.S.Yakobudeen

... Petitioner

Vs.

- 1.The Commissioner,
Greater Chennai Corporation,
Ripon Building,
Periyar Road, Chennai.
- 2.The Chennai Corporation,
Revenue Department,
Zone-8, Shenoy Nagar,
Chennai - 600 030.
- 3.Brooke Bond Three Roses Tea Stall,
New.No.337, Old No.140,
Konnur High Road,
Ayanavaram Joint Office Bus Stand,
Ayanavaram, Chennai.
- 4.Manoj Kumar,
Proprietor,
Lara Cloth Shop and Shakthi Documentation,
New.No.337, Old No.140,
Konnur High Road,
Ayanavaram Joint Office Bus Stand,
Ayanavaram, Chennai.



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5.Hotel Mohith (Prakash) Proprietor,
New.No.337, Old No.140,
Konnur High Road,
Ayanavaram Joint Office Bus Stand,
Ayanavaram, Chennai.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, directing the first and second respondents on basis of representations given on 08.02.2022 and 11.03.2022 by the petitioner and further direct the first and second respondents to take action against the third to fifth respondents and direct to seal shops which are functioning without having the proper license and no objection certificate from the owner of the property.

For Petitioner : Mr.U.Syed Thaga

For Respondents :

For R1 & R2 : Mrs.P.T.Ramadevi
Standing Counsel

ORDER

Mrs.P.T.Ramadevi, learned Standing Counsel takes notice on behalf of the first and second respondents.

2. The petitioner has filed this writ petition for a Mandamus, to direct the first and second respondents to take action against the third to fifth respondents to seal the shops which are functioning without proper license.



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3. It appears that the second respondent has inspected the premises and have given a report to the Assistant Revenue Officer, to the effect that there are no shops in existence and all the shops have been closed.

4. It is confirmed by the learned Standing Counsel for the first and second respondents that no licenses have been issued to the third to fifth respondents. The fact on record indicates that the petitioner has purchased the property in the year 2017 vide a Registered Sale Deed dated 18.02.2017 executed by one Viswanathan registered as Doc.No.5351 of 2017.

5. On 20.12.2017, there is also attornment of tenancy in favour of the petitioner by the previous owner. It appears that the private respondents herein were the tenants of the previous owner namely Viswanathan and they are not cooperating with the petitioner. Therefore, the petitioner has filed this writ petition to take steps to seal the shops which are functioning without proper license.



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6. The statement of the learned Standing Counsel for the first and second respondents stands recorded that no licenses have been issued to the private respondents herein. Therefore, there is no merits in the present writ petition. However, liberty is given to the petitioner to file proper suit, to evict the private respondents in accordance with law.

7. This Writ Petition stands disposed of with the above observations.

No costs.

04.07.2022

Index : Yes/No
Internet : Yes/No
Speaking/Non-Speaking Order

arb

To

1.The Commissioner,
Greater Chennai Corporation,
Ripon Building,
Periyar Road, Chennai.

2.The Chennai Corporation,
Revenue Department,
Zone-8, Shenoy Nagar,
Chennai - 600 030.



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C.SARAVANAN, J.

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