



WEB COPY

W.P.No.35076 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.12.2022

CORAM

THE HON'BLE MR. JUSTICE C. V. KARTHIKEYAN

AND

THE HON'BLE MR.JUSTICE S.SOUNTHAR

Writ Petition No.35076 of 2022

and

W.M.P.No.34525 of 2022

Mr.Atluri Krishna Rao

... Petitioner

Versus

1.Andhra Bank,
R.P.Road Branch,
Secunderabad – 500 003.

2.M/s.Swaraj Enterprises,
01 20 248, 1st Floor,
Godown No.7, Siraj Compound,
Rasoolpura, Secunderabad – 500 003.

3.Mr.Karthik Doraiswamy,
Managing Director of M/s.Swaraj Enterprises,
S/o.VN Doraiswamy,
H.No.3-43-184, Plot No.25,
Krishnapuri Colony,
West Merredpally,
Secunderabad – 500 026.

4.Mrs.Tripuramba
5.Mrs.Atluri Dhruti Devi
6.Mrs.Atluri Urmila

... Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 23.12.2022 and pass suitable orders on the representation by giving them a personal hearing.

For Petitioner : Mr.S.Rajmakesh

ORDER

[Order of the Court was made by C.V.KARTHIKEYAN,J.]

The Writ Petition has been filed, seeking an extension of 60 days, to vacate the residential premises at 02-390, Brindavani Street, Balaiah Nagar, Madipakkam, Chennai 600 091.

2. The petitioner has been resisting action taken by the 1st respondent which is now in the last stage. Earlier he had filed Writ Petition in W.P.No.4784/2020 and by an order dated 17.03.2020, the said Writ Petition was disposed of. The petitioner was granted permission to stay in the premises, which was to be taken possession, consequent to an order of the 1st respondent namely, the Chief Judicial Magistrate, Chengalpet in CrI.M.P.No.1144/2022. It was directed that he should handover the premises without asking any further extension.



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3. The petitioner had received a notice from the Advocate Commissioner, K.Sivaperuman, dated 02.12.2022, that he should vacate the premises within 15 days from the date of receipt of the said notice.

4. The petitioner has been successfully evading and protracting the date of eviction for the past more than two years. But it is understandable that a substantial period would have been taken up by Covid -19 pandemic. But, now, this Court can only grant time till 28.02.2023 for the petitioner to either vacate the premises or to make the entire payment which is due and payable to the 1st respondent.

5. The petitioner should take a necessary decision in this regard. No further time will be granted. On 01.03.2023, the 1st respondent is permitted to take necessary steps to take possession of the portion in which the petitioner is in occupation. If the petitioner voluntarily fails to vacate the premises till 28.02.2023, the 1st respondent is permitted to take possession from 01.03.2023 onwards.



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6. With the above observations, the Writ Petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

(C.V.K.,J.) (S.S.,J.)
28.12.2022

Index : Yes/No
Internet : Yes/No
ssi/vsn



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C.V.KARTHIKEYAN, J.
AND
S.SOUNTHAR.J.

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