



WEB COPY



WP.No.11109 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.11109 of 2016 &

W.M.P.Nos.9651 & 9652 of 2016

1. C.Kolaindaivelu
2. Srichand
3. M.G.Muraheri Rao
4. Ganapathraj
5. P.Sunil
6. Bharat Prohit

... Petitioners

Vs

1. The Commissioner,
Corporation of Chennai,
Rippon Buildings, Chennai – 600 003.
2. J.Harikumar
3. The Regional Deputy Commissioner,
[North Corporation of Chennai],
Rippon Buildings, Chennai – 600 003.

... Respondents

Prayer:- Writ Petition filed under the Article 226 of Constitution of India, to issue a Writ of Certiorari calling for the records of the respondents 1 and 3 in issuing notice under section 258 of Chennai City Municipal



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Corporation Act 1919 dated 24.11.2014 and quash the same.

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For Petitioners : Mr.S.Senthil Nathan

For Respondents : Mrs.P.T.Ramadevi
Standing Counsel for R1 & R3

Not ready notice for R2

ORDER

This writ petition has been filed challenging the notice dated 24.11.2014 issued to the under section 258 of Chennai City Municipal Corporation Act.

2. The impugned notice has been issued for eviction of the tenant from the building which require immediate renovation. It is the contention of the learned counsel appearing for the petitioners that the very notice has been issued at the instance of the erstwhile owner as there is landlord tenant dispute between them. According to him, the entire property has been purchased by the petitioners and the petitioners are the absolute owner of the premises and the building is in good condition. Hence, submitted that the notice dated 24.11.2014 has become infructuous.



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3. The notice has been issued on 24.11.2014 and the petitioners have now become owners of the property and it is almost 8 years over since the notice has been sent. Hence, it is open to the Corporation to inspect the building and issue fresh notice if the building require immediate renovation after giving opportunity to the petitioner and no action shall be taken on the basis of the notice issued on 24.11.2014.

4. With the above direction, this Writ Petition is disposed of. Consequently, connection miscellaneous petitions are closed. No costs.

12.01.2023

Index : Yes/No
Neutral Citation : Yes/No
vrc

To,

1. The Commissioner,
Corporation of Chennai,
Rippon Buildings, Chennai – 600 003.
2. The Regional Deputy Commissioner,
[North Corporation of Chennai],
Rippon Buildings, Chennai – 600 003.



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N.SATHISH KUMAR, J.

VTC

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