



WEB COPY



W.P.No.5360 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2023

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.5360 of 2023

and

W.M.P.Nos.5377 to 5379 of 2023

Paras Virendra Shah

... Petitioner

Vs.

1.State of Tamilnadu,
Represented by its Secretary,
Housing & Urban Development Department,
Chennai – 600 009.

2.The Commissioner,
Greater Chennai Corporation,
Ripon Building, Chennai – 600 003.

3.The Executive Engineer,
Corporation of Chennai,
Zone 195 Ward No 15,
Sholinganallur, Chennai – 600 119.

4.V.George Gynanaseelan

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the impugned lock and seal notice dated 07.02.2023 on the file of the third respondent and quash the same and consequently, direct the respondents 1 to 3 to unseal and open the lock of the shop in the name and style of in the property survey No.213/126 plot no.185, old



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Mahabalipuram Road now its named as Rajiv Gandhi Salai, Raja Nagar, Okkiyam Thoraipakkam Village, Chennai – 600 096, for which the petitioner sent representation to the respondents 1 to 3 on 10.02.2023.

For Petitioner : Mr.E.Vinoth Kumar

For Respondents : Mrs.R.Anitha, for R1
Special Government Pleader
Mr.D.B.R. Prabhu, for RR2 & 3
Mr.Praveen Alexander, for R4

ORDER

This Writ Petition has been filed to call for the impugned lock and seal notice dated 07.02.2023 on the file of the third respondent and quash the same and consequently, direct the respondents 1 to 3 to unseal and open the lock of the shop in the name and style of in the property survey No.213/126 plot no.185, old Mahabalipuram Road now its named as Rajiv Gandhi Salai, Raja Nagar, Okkiyam Thoraipakkam Village, Chennai – 600 096, for which the petitioner sent representation to the respondents 1 to 3 on 10.02.2023.

2. It is contention of the petitioner that he is a lessee under the third respondent, from the year 2008 and he is selling electronics goods in the premises. All of a sudden, at the instigation of the third respondent, have locked the building on the ground that there is no trade license. Hence, filed this writ petition challenging the action of the respondents.



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3.

The third respondent filed a counter on the ground that lease has expired two years back and there is arrears of rent to the tune of Rs.29,79,088/-. Therefore, opposed the writ petition.

4.

Learned counsel for the respondent-Corporation would submit that since the petitioner has not obtained any trade license, his premises has been locked and sealed.

5.

Learned counsel for the petitioner would submit that he has submitted an application to the authorities and the same may be considered by the respondents on its own merits.

6.

In such view of the matter, the respondent-Corporation shall pass an order, on the application filed by the petitioner on its own merits, within a period of one month from the date of receipt of copy of this order.

7.

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

Index :Yes/No

03.03.2023

Neutral Citation :Yes/No

AT



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N.SATHISH KUMAR, J.

AT

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