



WEB COPY



W.P.No.6219 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.03.2023

CORAM

THE HONOURABLE Ms. JUSTICE V.M.VELUMANI

AND

THE HONOURABLE Mr. JUSTICE V.LAKSHMINARAYANAN

W.P.No.6219 of 2023

AND

W.M.P.No.6228 of 2023

M/s.Muthoot Finance Ltd.
Rep. by its Regional Operation Manager
Murukesh
No.171, First Floor, 6th Street
Kumaran Colony, Vadapalani
Chennai 600 026

.. Petitioner

Vs.

1.A.Latha

2.The Government of Tamil Nadu
Rep. by its Secretary to Government
Housing and Urban Development Department
Secretariat, Chennai 600 009

3.Corporation of Chennai
Rep. by its Commissioner
Rippon Building
Chennai 600 003



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4.The Executive Engineer
Greater Chennai Corporation
Zone-VI, No.158, Strahans Road
Pattalam, Chennai 600 012

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents 3 and 4 from dispossessing the petitioner from lawful leased premises at No.1, Kattabomman Street, Venkatesan Nagar, G.K.M. Colony Main Road, Peravallur, Chennai 600 082.

For Petitioner	:	Mr.N.Rajkumar
For R1	:	No appearance
For R2	:	Mrs.R.L.Karthika Government Advocate
For R3 and R4	:	Mr.D.B.R.Prabhu Standing Counsel

ORDER

(Order of the Court was made by V.M.VELUMANI, J.)

The petitioner has come out with the present writ petition for a direction to the respondents 3 and 4 not to dispossess the petitioner from his leased occupation at No.1, Kattabomman Street, Venkatesan Nagar, G.K.M. Colony Main Road, Peravallur, Chennai 600 082.



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2. By consent of both the learned counsel appearing for the petitioner as well as Mrs.R.L.Karthika, learned Government Advocate, who takes notice for the 2nd respondent and Mr.D.B.R.Prabhu, learned Standing Counsel, who takes notice for the respondents 3 and 4, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. According to the petitioner, he is operating one of the branches of the company from the year 2012, in the leased premises at No.1, Kattabomman Street, Venkatesan Nagar, G.K.M. Colony Main Road, Peravallur, Chennai 600 082, belonging to the 1st respondent. After taking the premises on lease for a period of 15 years, the petitioner has put up a safety vault to store the gold and other valuable things entrusted by customers. While so, the petitioner received the impugned notice dated 18.02.2023 issued by the 4th respondent, directing the petitioner to vacate the premises within three days. In such circumstances, the petitioner has come out with the present petition.



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4. At the time of hearing, the learned counsel appearing for the petitioner submitted that the petitioner will vacate the premises within six weeks and sought six weeks time to vacate the premises. The petitioner has also filed an affidavit of undertaking to that effect. The said Affidavit of Undertaking is taken on file and recorded and the petitioner is granted six weeks time for vacating the premises.

5. In view of the above, the respondents 3 and 4 are restrained from taking any action against the petitioner, till 12.04.2023. If petitioner fails to vacate the premises within six weeks or 12.04.2023, it is open to the respondents 3 & 4 to take appropriate action as per the notice issued.

With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(V.M.V.,J.) (V.L.N.,J.)

02.03.2023

Index : Yes/No
Neutral citation : Yes/No
gya



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To

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Government of Tamil Nadu
Housing and Urban Development Department
Secretariat, Chennai 600 009

2.The Commissioner
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3.The Executive Engineer
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