



W.P.No.8296 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

W.P.No.8296 of 2023

and

W.M.P.Nos.8490 and 8491 of 2023

M/s.Chettinad Mess,
Represented by its Proprietor R.Vinayagamoorthis,
SF No.92/1B2, Egattur Village,
Thiruporur Taluk,
Chengalpattu - 603 103.

M/s.Rakesh Andhra Mess,
Represented by its Proprietor R.Vinayagamoorthis,
SF No.92/1B2, Egattur Village,
Thiruporur Taluk,
Chengalpattu - 603 103.

....Petitioners

Vs

1. The Chairman,
State Industries Promotion,
Corporation of Tamil Nadu Ltd (SIPCOT)



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WEB COPY No.19-A, Rukmani Lakshmipathy Road,
Egmore, Chennai - 600 008.

2. The Project Officer,
Siruseri SIPCOT IT Park,
Siruseri, Old Mahabalipuram Road,
Chennai - 603 103.

3. The Tahsildar,
Thiruporur Taluk,
Thiruporur.

....Respondents

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to give the petitioner an opportunity of hearing before issuing the common notice in Letter No.PO/SITP/SIRU/Encroachment/2023 dated INFORMATION TECHNOLOGY PARK, Siruseri - 603 103 (hereinafter referred to as Project Officer, SIPCOT for the sake of brevity) and to grant time of 11 months time to vacate the premises.

For Petitioner : Mrs.G.Hema

For R1 : Mr.G.Suresh Kumar,
Standing Counsel for SIPCOT

ORDER

This Writ Petition has been filed directing the respondents to give the petitioner an opportunity of hearing before issuing the notice in Letter



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No.PO/SITP/SIRU/Court Case/2022, dated 03.03.2023 issued by the Project Officer, Project Office, SIPCOT INFORMATION TECHNOLOGY PARK, Siruseri - 603 103, with reference to the proceedings of the Estate Officer, SIPCOT Project Office in Ref.No.PO/SITP/Siruseri/Ahmed Rasool/2023 dated 16.02.2023 and to grant time of 11 months time to vacate the premises.

2. Heard Mrs.G.Hema, learned counsel appearing for the petitioner and Mr.G.Suresh Kumar, learned Standing Counsel appearing for R1/SIPCOT.

3. In this case, the petitioner is a tenant of the subsequent property. The petitioner had entered into the lease agreement and had also established the livelihood made in the establishment, I am inclined to grant the eviction. After expressing the opinion of this Court, the petitioner today has filed an affidavit signed by one Vinayagamoorthi on behalf of M/s.CHETTINAD MESS represented by its Proprietor, he is undertake to vacate and hand over possession on or before 05.06.2023. The said affidavit of undertaking is hereby recorded.



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4. Without going to the merits of this case, the undertaking given by the Osman Ali on behalf of M/s.CHETTINAD MESS represented by its Proprietor before this Court is hereby recorded and as per the undertaking, he has to vacate and hand over possession on or before 05.06.2023. The said affidavit of undertaking is hereby recorded.

5. Recording the above, this Writ Petition is disposed of. No costs. Consequently, connected W.M.Ps are closed.

6. The undertaking given by the parties are hereby recorded for the effective implementation. It is also made clear that the respondent shall not indulge in taking any coercive steps in the meanwhile.

16.03.2023

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Index:Yes/No

Neutral Citation : Yes/No



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