



WEB COPY



CRP No.2913 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.08.2023

CORAM:

THE HONOURABLE Mr. JUSTICE V.LAKSHMINARAYANAN

C.R.P.No.2913 of 2019
and CMP No.18883 of 2019

Gayathri Devi

.... Petitioner

Vs

The Deputy Commissioner,
Estate Officer,
Corporation of Chennai,
Ripon Buildings,
Chennai-600 003.

... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India against the order dated 06.03.2019 passed in CMA No.39 of 2018 on the file of Principal Judge, City Civil Court, Chennai, confirming the respondent's order in Ni.Ma.Vu.Thu.Na.Ka.No.LE4/4778/2000 dated 17.04.2018.

For Petitioner : Dr.C.Ravichandran
for Mr.J.Saravanavel

For Respondent : M/s K.Ashwini Devi



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ORDER

This Civil Revision Petition arises against an order passed by the learned Principal Judge, City Civil Court, Chennai, in CMA No.39 of 2018 dated 06.03.2019, confirming the order of eviction passed by the Corporation of Chennai in Ni.Ma.Vu.Thu.Na.Ka.No.LE4/4778/2000 dated 17.04.2018.

2. The only point urged by Dr.C.Ravichandran, learned counsel representing for Mr.J.Saravanel is that the Deputy Commissioner is not an Estate Officer within the meaning of Tamil Nadu Public Premises (Eviction of Unauthorised Occupants) Act, 1975 (Act 1 of 1976) .

3. To rebut the same, Ms.Ashwini Devi, learned counsel appearing for Chennai Corporation has produced G.O.Ms.No.141 Municipal Administration and Water Supply (MC.I) Department dated 22.09.2015. As per the said order, the Government of Tamil Nadu, in exercise of the power vested with it, had appointed Deputy Commissioner (Revenue and Finance) of Municipal Corporation of Chennai as the Estate Officer. The said Notification under Section 3 of Tamil Nadu Public Premises (Eviction of Unauthorised Occupants)



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Act, 1975 (Act 1 of 1976) had also been published in the Gazette on 07.02.2001. Therefore, the point taken by the petitioner does not exist for consideration as the Deputy Commissioner is an Estate Officer.

4. No other point has been urged by the learned counsel for the petitioner.

I have no other option than to dismiss the civil revision petition.

5. At this point, Mr.C.Ravichandran would state that the petitioner is aged about 81 years and she requires time to vacate and hand over possession of the property to the Corporation.

6. In the light of the petitioner, being a senior citizen and in the light of the aforesaid circumstances, I am inclined to grant time till 30.06.2024. This time is granted on condition that the petitioner shall not put in any new tenants into the property. She shall vacate and hand over peaceful possession of the property on or before the aforesaid date i.e., 30.06.2024. She should also pay any arrears, if any and continue to pay rents as long as she is in occupation of the property.



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V.LAKSHMINARAYANAN,J.

7. With the above observation, the Civil Revision Petition stands^{sr} dismissed. No costs. Consequently, connected miscellaneous petition is closed.

14.08.2023

Index:Yes/No
Speaking order/Non-speaking order
sr

To
1. Principal Judge, City Civil Court, Chennai
2.The Deputy Commissioner,
Estate Officer,
Corporation of Chennai,
Ripon Buildings,
Chennai-600 003

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