



WEB COPY



W.P.No.31315 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.11.2023

CORAM

THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.31315 of 2023

P.Madhavan

... Petitioner

Vs.

1.Tamil Nadu State Marketing Cooperation Limited (TASMAC),
rep by its Managing Director,
CMDA, Tower II, 4th Floor,
Egmore, Chennai 600 008.

2.The District Manager,
Tamil Nadu State Marketing Corporation (TASMAC),
Kancheepuram (North) District,
IMFS Depot, Bangalore High Road,
Chembarambakkam Village,
Thiruvallur District 600 123.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus, to direct the respondents to deliver
the peaceful vacant possession of the premises viz., The shop bearing
No.4501, in Door No.16/17A, Bazaar Road, Ram Nagar, Madipakkam,



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Chennai 600 091, comprised in survey No.96 (Part), situate at No.17, Madipakkam Village, Tambaram Taluk, Kancheepuram District, within the time fixed by this Court.

For Petitioner : Mr.V.Anandhamurthy,
for Mr.K.Premkumar

For Respondent : Mr.K.Balakrishnan,
Standing counsel

ORDER

This writ petition has been filed to direct the respondent to dispose of the petitioner's representation dated 12.06.2023.

2. Mr.K.Balakrishnan, learned Standing counsel, takes notice on behalf of the respondents. By consent of the parties, the main writ petition is taken up for disposal at the admission stage itself.

3. The case of the petitioner is that he had leased out his property in the year 2012 to the respondents for running shops and bars. At this juncture, from the year 2021, he had made nearly four representations to the respondent to vacate the said premises, since the said premises are



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required for construction of Apartments. However, the respondent had neither considered the petitioner's representations nor taken any steps to vacate the said premises.

4. The learned counsel for the respondent would submit that the respondent will consider the petitioner's representation and take a decision as early as possible.

5. Heard the learned counsel for the petitioner and the respondents and also perused the materials available on record.

6. In the present case, it appears that the petitioner had leased out his property to the respondents in the year 2012 and from the year 2021, the petitioner had made representations dated 09.02.2021, 08.11.2022, 05.12.2022 and 12.06.2023 to the respondent to vacate the said premises. In spite of those representations, the respondent had not taken any steps to vacate the said premises.



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7. Therefore, this Court is of the considered view that since the petitioner, who is the owner of the premises, wants the premises for construction of Apartments, the respondent shall consider the representation dated 12.06.2023 made by the petitioner and take a decision in accordance with law to vacate the premises within a period of 8 weeks from the date of receipt of copy of this order.

8. With the above directions, this writ petition is disposed of. No costs.

01.11.2023

Speaking/Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

nsa

To

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KRISHNAN RAMASAMY.J.,

nsa

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