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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 08.02.2024

CORAM

THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.No.2781 of 2024

S.Usharani

... Petitioner

Vs

1.The District Collector,
Office of Collectorate,
Chennai – 600 001.

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

3.The Deputy Commissioner of Police,
Greaves Road,
Thousand Light,
Chennai.

4.S.Alamelu

.... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to initiate action and dispose of the petitioner representation dated 05.06.2023 in a time bound manner.

For Petitioner : Mr.R.Karunagaran



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For Respondents : Mr.S.Balamurugan
Government Advocate - R1
Mr.Ragul Adhithya
for Mrs.P.T.Ramadevi
Standing Counsel - R2
Mr.Kishore Kumar
Government Advocate - R3

ORDER

Mr.S.Balamurugan, learned Government Advocate accepts notice for R1, Mr.Rahul Adhithya, learned counsel on behalf of Ms.P.T.Ramadevi, learned Standing Counsel accepts notice for R2 and Mr.Kishore Kumar, learned Government Advocate accepts notice for R3. All the learned counsels are armed with instructions to enable final disposal of this Writ Petition, even at the stage of admission. No notice is thought necessary to R4 in light of order that is proposed to be passed now and also for the reason the interests of R4 has been duly protected under this order.

2. The petitioner claims to be the owner of the premises at Old No.33, New No.39/17, Kandan Street, Shenoy Nagar, Chennai – 600 030 ('premises'/'premises in question'). He had let a portion of the premises in question on rent to R4, who is stated to be utilising the same for running a ladies hostel under the name and style of S.A. Ladies Hostel.

3. As disclosed by the petitioner, there are disputes between herself and R4 insofar as the petitioner states that the tenancy has expired on 15.03.2019



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despite which, R4 is continuing to squat in the premises even without paying rent.

4. Evidently, this Writ Petition is a device to evict R4 from the premises in question. Be that as it may, the allegations are that R4 has not obtained proper licence from competent authorities and that the hostel is being run illegally. She also states that the licence obtained is only for running of a canteen as the Chennai Corporation is not empowered to issue hostel licence within the city limits.

5. The petitioner states that complaints have been made on 09.12.2022 before R2. She also states that the aforesaid allegations also form part of the representation made by her before R1 on 05.06.2023.

6. Learned counsel for R1 would have no objection to mandamus being issued to R1 for consideration of representation dated 05.06.2023.

7. Hence, mandamus is issued to R1 to issue notice to the petitioner as well as R4, obtain necessary inputs from R2 and R3, hear the petitioner as well as R4 and dispose representation dated 05.06.2023 within a period of six (6) weeks from date of receipt of a copy of this order, in accordance with law.

Dr.ANITA SUMANTH,J.

8. This Writ Petition is disposed as above. No costs.



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Index : Yes / No

Speaking order

Neutral citations:Yes
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