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W.P. No. 3148 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 04.03.2024**

**CORAM**

**THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU**

**W.P. No. 3148 of 2024**

**and**

**W.M.P. No. 3415 of 2024**

V.Balasubramanian Vadamalai  
Petitioner

...

-VS-

1. The District Collector,  
Chengalpet District,  
Chengalpet.

2. The Tahsildar  
Thiruporur Circle  
Chengalpet District.

3. Arunprasad Ravindranath  
rep. By his Power Agent Mr.C.Ravindranath

... Respondents

*(R3 impleaded vide order of this Court dated  
04.03.2024 in W.M.P.No.6510 of 2024 in W.P.No.3148 of 2024)*

**Prayer:-** Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, consequently directing the Second Respondent to remove the lock and seal of the premises situated at No.10, Navalur Village, Vijayaganapathy Nagar 3<sup>rd</sup> Street, Kelambakkam Kuru vattam, Thiruporur Circle, Chengalpet District.



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For Petitioner : Mr. A.Vivekanandhan

For Respondents : Mr. S.J.Mohamed Sathik, (for R1 and R2)  
Government Advocate

Mr. K.Sakthivel (for R3)

## ORDER

Heard Mr. A.Vivekanandhan, Learned Counsel for the Petitioner and Mr. S.J.Mohamed Sathik, Learned Government Advocate appearing for the First and Second Respondents and Mr. K.Sakthivel, Learned Counsel for the Third Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. It is the case of the Petitioner that the premises situate at Plot Nos. 9 & 34, 3<sup>rd</sup> Street, Vijayaganapthy Nagar, Navalur, Chennai – 600103 (hereinafter referred to as 'the property' for short) belongs to the Third Respondent, who had granted it on lease by agreement dated 01.07.2015 for a period of 120 months as ladies hostel in the name and style of 'Taurima Pink Hostel' utilizing 24 rooms there. However, the Third Respondent did not co-operate with the Petitioner for obtaining the requisite licence under the Tamil Nadu Hostels and Homes for Women and Children (Regulation) Act, 2014, and in those



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circumstances, the Petitioner had converted the property into a mens' hostel.

While the matter stood as narrated supra, the Second Respondent had affixed Notice on 18.01.2024 in the property informing that no hostel could be conducted there and had locked and sealed it, which is assailed in this Writ Petition.

3. It is explained by Learned Government Advocate appearing for the First and Second Respondents that a 'hostel' is a 'public building' within the meaning of Section 2(8)(iii) of the Tamil Nadu Public Buildings (Licensing) Act, 1965 (hereinafter referred to as 'the TNPBL Act' for short) for which requisite licence under Section 3 of the TNPBL Act has to be obtained, which the Petitioner does not possess and in its absence, the Second Respondent as the competent authority under Section 15 of the TNPBL Act had locked and sealed the premises to prohibit its use as a public building.

4. It is brought to notice that the Third Respondent has already filed a suit in O.S. No. 277 of 2020 before the District Court, Chengalpattu against the Petitioner for recovery of possession of the property along with rental arrears, which is now pending.



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5. It is informed that in furtherance to the order dated 12.02.2024 passed by this Court, the inmates in the property have removed all their belongings and that the Petitioner is ready to hand over vacant possession of the property without any hostel to the Third Respondent.

6. In view of the subsequent events, nothing remains for further consideration in this Writ Petition, and it is left open to the Petitioner and the Third Respondent to work out their respective right against each other regarding the property in accordance with law.

In the result, the Writ Petition is disposed on the aforesaid observations. Consequently, the connected Miscellaneous Petition is closed. No costs.

04.03.2024

Index: Yes/No

NCC: Yes/No

**Note: Issue order copy by 05.06.2024.**

gsa



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To

1. The District Collector,  
Chengalpet District,  
Chengalpet.
2. The Tahsildar  
Thiruporur Circle  
Chengalpet District.

Copy to

Arunprasad Ravindranath  
No.1253 Tioga Dr. Irving TX USA 75063  
rep. By his Power Agent C.Ravindranath  
33, Narayanaswamy Main Road,  
Sholinganallur, Chennai 600 119.



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**P.D. AUDIKESAVALU, J.**

**gsa**

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**04.03.2024**