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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2024

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.21079 of 2024

Tmt.M.Durdana

... Petitioner

Vs.

1. The Commissioner,
Corporation of Chennai,
Greater Chennai Corporation,
Chennai – 600 003.
2. The Senior Revenue Officer,
Revenue Department, Zone-V,
Greater Chennai Corporation,
Chennai – 600 003.
3. The Licensing Authority,
Corporation of Chennai,
Greater Chennai Corporation,
Chennai – 600 003.
4. The Inspector of Police,
D2 Police Station,
Anna Salai, Chennai 600 002.
5. Mohammed Hajali

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd respondent to dispose of the representation dated 13.01.2024 submitted by the petitioner



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for initiation of action against 5th respondent in respect of the business carried out in the shop premises situated at Shop No.B15 in Block 'B', Mezzanine floor, Nawab Habibullah Electronic Market, situated in Old Door No.33, New No.24/32, Wallers Road, Mount Road, Chennai – 600 002 without License from the Statutory Authority.

For Petitioner : Mr.L.Dhamodharan

For R1 to R3 : Mrs.P.T.Ramadevi
Standing Counsel

For R4 : Mr.C.E.Pratap for R4
Government Advocate (Crl.Side)

ORDER

This Writ Petition has been filed seeking a direction to the 3rd respondent to dispose of the representation dated 13.01.2024 submitted by the petitioner for initiation of action against 5th respondent in respect of the business carried out in the shop premises situated at Shop No.B15 in Block 'B', Mezzanine floor, Nawab Habibullah Electronic Market situated in Old Door No.33, New No.24/32, Wallers Road, Mount Road, Chennai – 600 002 without License from the Statutory Authority.

2. The case of the petitioner is that the petitioner is the owner of the shop premise situated at Shop No. B-15, in Block 'B', Mezzanine Floor, Nawab Habbibullah Electronic Market, Wallers Road, Mount Road,



Chennai-600 002. The said shop premise was let out to the 5th respondent by a deed of lease dated 08.06.2016. The 5th respondent has been carrying a business without license by engaging the strangers. The petitioner has invoked the provision of RTI and sought information with regard to the nature of business carried in the shop premises and the details of the license. The petitioner has been informed with the information that the Corporation has not issued any license to carry on the business. The petitioner has initiated necessary eviction proceedings against the 5th respondent as per the Tamil Nadu Regulation of Rights and Responsibilities of Landlord and Tenants Act, 2017 and the same is pending. If the third person who is in occupation of the property indulges in any illegality, the property of the petitioner will be in trouble. Hence, the petitioner has submitted a detailed representation dated 13.01.2024 for initiation of necessary action. The respondent acknowledged the representation, but no action was taken, Hence, the Writ petition was filed.

3. The Learned Standing Counsel appearing for the respondent Corporation would submit that, the respondent will conduct enquiry and pass appropriate orders on the representation of the petitioner within a



reasonable time.

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4. In view of the above submission, this Court directs the 3rd respondent to hold enquiry on the representation of the petitioner dated 13.01.2024 and pass appropriate orders on merits, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after giving due opportunity to the petitioner.

5. Accordingly, this Writ Petition is disposed of. No costs.

26.07.2024

(1/3)

Index : yes/no

Internet : yes/no

gv



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To

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Chennai – 600 003.
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Chennai – 600 003.
3. The Licensing Authority,
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4. The Inspector of Police,
D2 Police Station,
Anna Salai, Chennai 600 002.
5. The Public Prosecutor.
High Court, Madras.



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V.BHAVANI SUBBAROYAN, J.

gv

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