



WEB COPY

W.A.Nos.3724 etc, batch of 2



THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.A.Nos. 3724, 3722, 3726 & 3727 of 2024

and

C.M.P.Nos. 29395, 29378, 29379, 29399, 29401, 29400 & 29402 of 2024

S.Venkatesan	...Appellant in W.A.No.3724 of 2024
D.Jesudoss Chandrasekar	...Appellant in W.A.No.3722 of 2024
Dr.R.Selvarani	...Appellant in W.A.No.3726 of 2024
P.K.Azeez	...Appellant in W.A.No.3727 of 2024

Vs.

1.The Commissioner,
Greater Chennai Corporation,
Ripon Buildings, Chennai - 600 003.

2.Zonal Officer,
Zonal Office-1,
Greater Chennai Corporation,
No.945 - Thiruvotriyur High Road,
Chennai - 600 019.

3.The Assistant Revenue Officer,
Zonal Office - 1,
Greater Chennai Corporation,
No.945, Thiruvotriyur High Road,
Tiruvottiyur, Chennai - 600 019.

...Respondents in all writ appeals



Common Prayer: Writ Appeals filed under Clause 15 of the Letters Patent Act, against the order passed in W.P.Nos.18450, 17643, 18447 & 18452 of 2020 dated 22.08.2024.

For Appellants : Mr.S.Parthasarathy, Senior Counsel
for Mr.N.Kuppusamy

For Respondents : Mr.Rahul Adithiya for Ms.P.T.Rama Devi

COMMON ORDER

(Order of the Court was delivered by **R.SUBRAMANIAN, J.**)

Challenge in the Writ Petitions was to the eviction notices issued by the respondents 2 & 3 requiring the petitioners to vacate and handover possession of the shops in their occupation. While rejecting the challenge, the learned single Judge had granted time to the petitioners to vacate on or before 16.12.2024. Aggrieved, the petitioners have come up with these appeals.

2. Heard Mr.S.Parthasarathy, learned Senior Counsel appearing for the appellants and Mr.Rahul Adithiya, learned counsel appearing for the Corporation.



3. Though Mr.S.Parthasarathy, learned counsel appearing for the appellants would submit that the appellants being lessees under the then Tiruvallur Municipality, which has now been made part of the Corporation, however, cannot be evicted summarily. We find that the learned counsel for the petitioners in the Writ Court had, in fact, made a concession stating that they have prepared to vacate, if they are given reasonable time.

4. Today, when the matters are taken up for hearing, all the appellants have filed affidavits of undertaking, agreeing to vacate by 30.04.2025. Mr.Rahul Adithiyan, learned counsel for the respondents would submit that there are certain arrears payable by some of the appellants. Their details are as follows:-

Sl. No.	DN No.	Shop No.	Shop No.	Name	Monthly Demand	Total Demand	Total Balance
1	N011	N01-N011-NZ1SC002-G2	2	P K Hajeas	2161	19449	7650
3	N011	N01-N011-NZ1SC002-G4	4	Kumaravel K	1881	18810	11100
6	N011	N01-N011-NZ1SC002-G8	8	Balasubramani G	1585	14265	1870
10	N011	N01-N011-NZ1SC002-F20	20	Selvarani Dr.	1448	11584	1709
12	N011	N01-N011-NZ1SC002-F26	26	Jesudoss Chandrasekar D	1448	13032	11963



5. Mr.S.Parthasarathy, learned counsel for the appellants would submit that the appellants will also pay the arrears and continue to pay rents till 30.04.2025.

6. In view of the fact that the construction of the primary health centre is yet to be completed, we are of the opinion that the appellants could be favoured with extension of time till 30.04.2025 as sought for by them. Therefore, these Writ Appeals are **disposed of**, granting time to the appellants to vacate and handover vacant possession to the Corporation by 30.04.2025. No costs. Consequently, connected miscellaneous petitions are closed.

7. It is stated that since the time granted by the single Judge had expired on 16.12.2024, the Corporation had sealed the shops. There will be a direction to the Corporation to remove the seals and permit the petitioners to continue their business till 30.04.2025. The arrears shall be paid within a period of two weeks from today. It is made clear that this order will apply only to the appellants.

(R.S.M., J.) (C.K., J.)
19.12.2024

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Index: No

Speaking order

Neutral Citation : No

Note: Issue order copy on 20.12.2024.

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To:

- 1.The Commissioner,
Greater Chennai Corporation,
Ripon Buildings, Chennai - 600 003.
- 2.Zonal Officer,
Zonal Office-1,
Greater Chennai Corporation,
No.945 - Thiruvotriyur High Road,
Chennai - 600 019.
- 3.The Assistant Revenue Officer,
Zonal Office - 1,
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and
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Connected miscellaneous petitions

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