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W.P.No.901 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.901 of 2025

Malini Ravindran

... Petitioner

Vs.

1.The Greater Chennai Corporation,
Rippon Building,
Chennai – 600 003.

2.ARO of corporation of Chennai,
Zone 10, Greater Chennai Corporation,
117, NSK Salai,
Kodambakkam.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the respondents to take action in pursuance of the representation of the petitioner dated 12.11.2024 to handover the possession of the shop premises sealed by the Corporation by order of the Hon'ble Court dated 09.10.2024 in W.A.No.3028 of 2024 to carry out demolition of the building.

For Petitioner : Mr.T.Gouthaman,
Senior Counsel
for S.Nivashini



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For Respondents : Mr.A.Arunbabu,
Standing Counsel

ORDER

The petitioner has filed this petition to direct the respondents to take action in pursuance of the representation of the petitioner dated 12.11.2024 to handover the possession of the shop premises sealed by the Corporation by order of the Hon'ble Court dated 09.10.2024 in W.A.No.3028 of 2024 to carry out demolition of the building.

2. The case of the petitioner is that she is the owner of the premises located at No.98(339) and No.340, Arcot Road, Kodambakkam, Chennai-600024. Initially, the property was jointly owned by her brother, Mr.V.S.Ranganathan, who passed away on 24.06.2018. Subsequently, the petitioner inherited the property as the sole legal heir of Mr.V.S. Ranganathan. Since 1963, the premises have been rented to Mr.Mohideen Kutty. Despite the lease not being renewed, Mr.E.Saleem Mohidee, son of Mr.Mohideen Kutty continuing the tenancy. Moreover, without permission or a No Objection Certificate (NOC) from Mr. Ranganathan, Mr.E.Saleem



Mohideen sublet the property to various businesses. In order to address the issue of unauthorized occupants and the cancellation of licenses, the petitioner has filed multiple Writ Petitions (W.P. No. 28234 of 2021, W.P. No.16036 of 2022, W.P. No.28404 of 2023, W.P.No.28072 of 2023) and a Contempt Petition No. 2562 of 2023 that resulted in sealing of various shops by the Corporation of Chennai as per Court directions. Despite the lack of an No Objection Certificate from the petitioner, the first respondent issued trade licenses to Sree Amba Traders and Happy Garments owned by one Mr.B.Balaji. Hence, the petitioner has sent several representations to the respondents, but no action was taken.

2.1. Using a fabricated lease deed, Mr.B.Balaji, filed a suit in O.S.No.6952 of 2023 seeking an injunction against the petitioner. The petitioner has filed a counterclaim in the said suit and a police complaint was lodged, resulting in an FIR against Mr.B.Balaji for offences under Sections 406, 420, 468, and 471 of the IPC. This Court ordered an investigation into Mr.B.Balaji's eligibility for the trade license. Despite the license expiring on 31.03.2024, the first respondent renewed it, ignoring the petitioner's



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objections and the ongoing court case. Hence, the petitioner filed a Writ of Certiorari in W.P.No.12516 of 2024 to quash the impugned license issued to Sree Amba Traders and the same was allowed by this Court by cancelling the license and ordering Mr.B.Balaji to vacate the premises.

2.2. Challenging the aforesaid order, Mr.B.Balaji filed a writ petition in W.P.No.16847 of 2024, which was dismissed by this Court on 10.09.2024 holding that Mr.B.Balaji was not a valid tenant of the shop premises. Aggrieved over the said order, Mr.B.Balaji filed writ appeal in W.A.No.3028 of 2024, in which this Court vide its order dated 09.10.2024 directed the Corporation to lock and seal the premises after he removed all his belongings. Therefore, the petitioner submitted a representation on 12.11.2024, seeking possession of the premises to carry out the demolition process. However, the said representation was not considered by the respondents till date. Hence, the petitioner has come forward with the present writ petition.



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3. Learned senior counsel for the petitioner would submit that pursuant to the order of this Court dated 10.01.2025, the respondents/Corporation have handed over the premises to the petitioner on 23.01.2025 and the demolition process was also took place on the same day i.e., 10.01.2025, in the presence of the corporation officials.

4. Heard the learned counsel on either side and perused the materials placed on record.

5. Since the prayer sought for in this writ petition has already been granted to the petitioner, nothing survives in this petition for further adjudication.

6. In the result, this writ petition is disposed of. No costs.

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Speaking Order : Yes/No
Neutral Citation : Yes/No

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