



W.P.No.2397 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 28.01.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

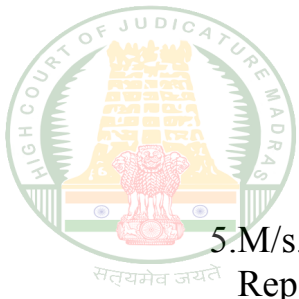
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M/s. Nova Project,
Rep. by its Partner,
Mr. Velappan
S/o Mariyappan
No.20, A, South Beach Avenue 1st Street,
MRC Nagar, Raja Annamalaipuram,
Chennai – 600 028.

... Petitioner

VS.

- 1.The Deputy Chief Engineer, ICF
PCE's Office
Shell Admin Building
ICF, Chennai – 600 038.
- 2.The Estate Officer and Principal Chief Engineer
Integral Coach Factory,
Chennai – 600 038.
- 3.The General Manager
Integral Coach Factory,
Chennai – 600 038.
- 4.The Executive Engineer
Integral Coach Factory,
Chennai – 600 038.



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5.M/s. Aadesh Infra
Rep. by Mohanraj
No.141/3, MTH Road,
Chennai – 600 049.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to consider the petitioner's representation dated 19.12.2024 seeking to de-seal 20 shops in ICF Bus Terminus, ICF, Chennai – 600038, and for extension of lease period.

For Petitioner : Mr.P.Balamurugan

For R1 to R4 : Mr.A.Kumaraguru
Standing Counsel

ORDER

By consent of both the learned counsel appearing for the petitioner as well as respondents 1 to 4, this writ petition is disposed of at the admission stage itself.

2. The petitioner herein seeks a direction to the respondents 1 to 4 to consider the petitioner's representation dated 19.12.2024 seeking de-sealing of 20 shops in ICF Bus Terminus, ICF, Chennai and also for extension of lease period.



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3. From the averment found in the affidavit and typed-set of papers, it is clear that the subject property was allotted by ICF Administration in favour of 5th respondent. The petitioner entered into sublease arrangement with the 5th respondent and got possession of the subject property. Later, the proceedings were initiated against the occupants under the provisions of Public Premises (Eviction of Unauthorised Occupants) Act, 1971. Against the eviction order passed under the said Act, an appeal said to have been filed by the 5th respondent in C.M.A.No.64 of 2023 on the file of the Principal Judge, City Civil Court, Chennai.

4. Mr.A.Kumaraguru, learned Standing Counsel, who is taking notice for the respondents 1 to 4 would submit that appeal in C.M.A.No.64 of 2023 preferred by the 5th respondent was dismissed on 18.12.2024 and hence, the respondents 1 to 4 have taken possession of the property and locked 20 shops found thereon.

5. Aggrieved by the same, the petitioner, who is the occupant of the shop under the 5th respondent submitted a representation before the respondents 1 to 4 seeking de-sealing of the premises to enable them to



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remove the goods available in the shops. The said representation has not been considered till date. Hence, the petitioner has come before this Court.

6. Since it is the case of the petitioner that the goods belongs to them are entangled in the sealed shop, it is for the 1st respondent to consider the representation of the petitioner and pass necessary orders to facilitate the petitioner to remove the things available in the shops.

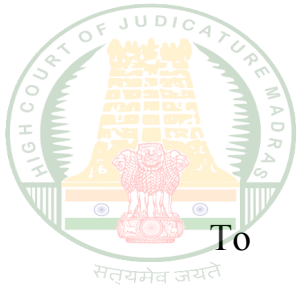
7. In view of the same, without going into the merits of the claim made by the petitioner, this Court is inclined to direct the 1st respondent to consider the representation of the petitioner dated 19.12.2024 and pass final orders on its own merits and in accordance with law, within a period of two weeks from the date of receipt of copy of this order.

8. With the above direction, the Writ Petition stands disposed of. No costs.

28.01.2025

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm

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To

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S.SOUNTHAR, J.

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