



WEB COPY



W.P.No.7134 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2025

CORAM :
THE HONOURABLE MRS. JUSTICE N.MALA

W.P. No.7134 of 2025

S.Zamruth Begam

... Petitioner

Vs.

1.The Secretary,
The Municipal Administration
and Water Supply Department,
Fort St.George, Chennai – 600 009.

2.The Commissioner Corporation of Chennai,
Rippon Buildings, Chennai – 600 003.

3.Assistant Revenue Officer,
Corporation of Chennai,
Basin Bridge, Zone-5, Chennai – 600 021.

4.K.Bala

5.Deepak

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Mandamus directing the 2nd and 3rd respondents to seal the shop of 5th and 6th respondents based on the petitioner's representation dated 14.11.2024.



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For Petitioner : M/s.S.Muthrah
for Mr.D.Muthukumarappa
For R1 : Mr.S.Rajesh,
Government Advocate
For RR2 & 3 : Mr.S.Gopinathan
Standing Counsel
For RR 4 & 5 : Mr.S.Hussain Afroze

ORDER

The petitioner has filed this petition to direct the respondents 2 and 3 to seal the shop of respondents 5 and 6 based on the petitioner's representation dated 14.11.2024.

2. The petitioner is the great-granddaughter of Haji Mirza Ali Naqui Kirmani, who purchased property situated at New Door No.45, Old Door No.21, Shambudoss Street, Mannadi, Chennai, measuring 3,633 sq.ft. The property, originally 30 years old at the time of purchase, is now approximately 170 years old. A private wakf was created over the said property by her great-grandfather for charitable purposes and religious observances. Due to its dilapidated condition, tenants vacated the premises, and a large banyan tree has since rooted into the structure, rendering it dangerous and uninhabitable. As the heirs were economically unable to



renovate the building, they filed a scheme suit in C.S. No. 820 of 2008, which was decreed by this Hon'ble Court on 22.12.2020, permitting public auction of the property and distribution of interest on sale proceeds among the legal heirs. Subsequently, the 5th and 6th respondents trespassed into the property and began operating an unauthorized tea stall, pan shop, and tiffin centre, endangering the lives of laborers who stay in the structure. The petitioner made representations to authorities, including the Chief Minister's Special Cell and the local Corporation, but despite assurances from the 3rd respondent that action would be taken, no steps have been initiated. Hence, this case.

3. When the matter was taken up for hearing, learned standing counsel appearing for the respondents 2 & 3 has submitted a status report of the third respondent dated 23.04.2025, wherein it is stated that the respondent has issued 24 hours notice dated 15.04.2025 under section 102, 105, 107, 108-A, 109 of the TNULB Act, 1998 to the fifth respondent, notified to stop the trade within 24 hours of receipt of the notice and restore the above said premises affected in its original state. Despite which, the fifth respondent did



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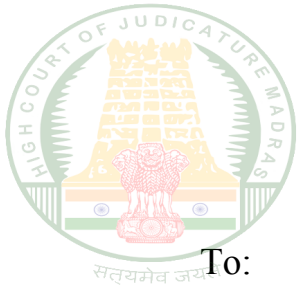
not turn back to comply with the directions issued by the respondent. Since the fifth respondent failed to comply with the requirements specified by the respondent, after the lapse of 24 hours, the respondent sent a letter dated 16.04.2025 to the Assistant Commissioner of Police and Inspector of Police, B2, Esplanade Police Station, Chennai and sought protection for eviction and lock and seal the subject building. Immediately on 17.04.2025, the subject premises were locked and sealed by the official respondent.

4. Since the prayer in this petition has been fulfilled in accordance with law, no further adjournments required in this writ petition.

5. In the result, this writ petition stands closed. No costs.

21.08.2025

Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
mtl



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To:

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N.MALA,J.

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