



WEB COPY

W.A.Nos.982, 984 and 986 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2025

C O R A M

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.A.Nos.982, 984 and 986 of 2023 and
C.M.P.Nos.9809, 9830 and 9842 of 2023

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| 1. E.S.Ramachandran | ... Appellant/Petitioner in
W.A.Nos.982 and 984 of 2023 |
| 2. K.Ashok Metha | ... Appellant/Petitioner in
W.A.No.986 of 2023 |

-VS-

- | | |
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| 1. The Commissioner,
Corporation of Chennai,
Ripon Building,
Chennai-600 003. | |
| 2. The Estate Officer and the
Commissioner for Chennai Corporation,
Ripon Building,
Chennai-600 003. | ... Respondents/Respondents |

Prayer: Writ Appeals filed under Clause 15 of the Letters Patent to allow these Appeals, by setting aside the orders dated 13.02.2023 made in W.P.Nos.26860, 24336 of 2009 and set aside the order dated 13.02.2023 passed in W.P.No.24639 of 2009.

For Appellants	: Mr.N.Jothi, Senior Counsel For Mr.S.Vinod
For Respondents	: Mr.M.Suresh Kumar Addl. Advocate General For Mrs.K.Aswini Devi



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W.A.Nos.982, 984 and 986 of 2023

COMMON JUDGMENT

(By.S.M.SUBRAMANIAM,J.,)

Under assail is the common Writ Orders dated 13.02.2023 passed in W.P.Nos.982, 984 and 986 of 2023. Parties to lis have not disputed that the land belongs to the Chennai Corporation. But superstructure was constructed by the lessee.

2. Learned Additional Advocate General appearing for Chennai Corporation would submit that the petitioners are not lessees. Even in respect of lessees, lease period expired long back. Thus, they are in unauthorised occupation. They have also not paid any rent or settled the arrears of rent.

3. Learned Senior Counsel for the appellants would submit that the superstructure was constructed by the appellants and they have also raised an allegation of bias. However, the said plea was rejected by the learned Single Judge.

4. During the relevant point of time, the Commissioner was designated as the Estate Officer under the Act and therefore, the Writ Court validated the show cause notice issued under the provisions of the



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Tamil Nadu Public Premises (Eviction of Unauthorised Occupants) Act, 1975 and the Rules framed thereunder.

5. Learned Senior Counsel, on instructions would submit that the appellants have chosen to withdraw the Writ Appeals and they will submit their explanations in response to the impugned show cause notice issued under the Tamil Nadu Public Premises (Eviction of Unauthorised Occupants) Act, 1975 and the Rules framed thereunder.

6. Admittedly, the impugned orders are show cause notices. That being so, the appellants have to submit their explanation along with documents, if any to the competent authority, who, in turn has to consider the same and pass appropriate final orders, by following procedures as contemplated under the Act. The appellants have chosen to withdraw the Writ Appeals and filed a memo to that effect before this Court. The matter is pending for about 16 years at the show cause notice stage and the litigations are prolonged and protracted for about 16 years. The stage of show cause notice is yet to be crossed. Therefore, the appellants are at liberty to submit their explanation along documents, if any within a period of two weeks from the date of receipt of a copy of this judgment. On receipt of such explanation, the competent authority is directed to consider



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S.M.SUBRAMANIAM, J.
AND
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and pass orders on merits and in accordance with law within a period of four weeks thereafter. After taking a final decision, all further actions may be continued without causing any undue delay.

With the above observations and directions, these Writ Appeals stand disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

(S.M.S,J.,) (C.K,J.,)
18.12.2025

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Internet: Yes / No
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To:

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