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WP.No.15024 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-07-2025

CORAM

THE HONOURABLE MRS JUSTICE N.MALA

WP.No.15024 of 2025

and

WMP.No.16924 of 2025

M.Balamurugan,
S/o. Mr.Muthusamy,
No.57, AM Block, 14th Main Road,
Shanthi Colony, Anna Nagar,
Chennai.

Petitioner(s)

Vs

1.The Commissioner,
Greater Chennai Corporation,
Rippon Buildings, Chennai.

2.A.Abdulsamth,
S/o Mr.Ahmedhussain,
Residing at No.5/2 Maoodhi Street,
Paadi, Chennai 600 050.

3.A.Fareedha,
W/o.Asif Ali,
Residing at No.5/2 Maoodhi Street,
Paadi, Chennai 600 050.

Respondent(s)



PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Certiorari, calling for the records in notice dated 07.04.2025 with reference NIL on the file of the first respondent herein and quash the same and pass such further orders.

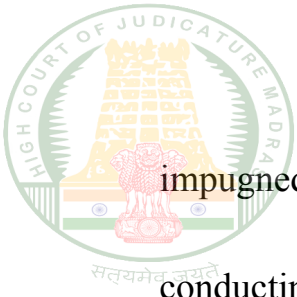
For Petitioner: Mr.B.Manoharan

For R1: M/s.K.Aswini Devi,
Standing Counsel

ORDER

This writ petition has been filed for issuance of a Writ of Certiorari, calling for the records in notice dated 07.04.2025 with reference NIL on the file of the first respondent herein and quash the same.

2. The petitioner, the director of “Cabn India Private Limited”, a company providing cab transport services, entered into an unregistered rental agreement on 16.12.2024 with M/s.A.Fareeda and A.Abdul Samath (Power Agent of A.Fareeda) for the lease of a property for residential purposes. The petitioner has been using the property to accommodate drivers associated with the company and park the vehicles driven by them within the property’s compound. The petitioner asserts that no commercial activity has taken place on the property, and no vehicles have been parked on the roadside, thereby not creating any traffic issues. Despite this, on 08.04.2025, the petitioner received an

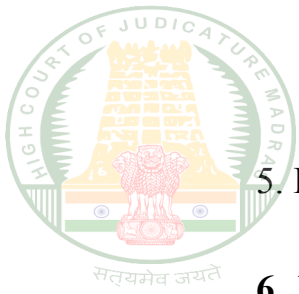


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impugned notice from the 1st Respondent claiming that the petitioner was conducting a car parking trade without a license. The petitioner responded to the notice on 11.04.2025, explaining the residential use of the property. The 1st Respondent continued to exert pressure to vacate the premises, prompting the petitioner to approach this Court.

3. Learned Counsel for the Petitioner submits that the notice dated 07.04.2025 is illegal, arbitrary, and unconstitutional, as it wrongly alleges the petitioner is conducting a car parking trade without a license, despite the property being used solely for residential purposes and to accommodate drivers and park their vehicles. The petitioner further argues that the provisions cited in the notice do not apply to the facts of the case, as they pertain to commercial activities, and challenges the authenticity of the notice, which lacks proper authorization. Additionally, the petitioner seeks an interim stay on further proceedings to prevent eviction threats and undue pressure.

4. Learned Standing Counsel appearing for the first respondent submits that the reply of the petitioner dated 11.04.2025 would be considered on merits, in accordance with law, within a time frame stipulated by this Court.



5. Heard both sides and perused the materials available on record.

6. Without going into the merits of the case, the first respondent is directed to consider the reply of the petitioner dated 11.04.2025 after conducting a detailed enquiry by giving due notice to the petitioner as well as respondents 2 and 3, affording an opportunity of personal hearing, taking into consideration all the relevant documents submitted by both parties in regard to the subject matter property and pass appropriate orders on merits, in accordance with law, within a period of four (4) weeks from the date of receipt of a copy of this order.

7. The first respondent shall not take any coercive action till the disposal of the petitioner's reply dated 11.04.2025.

In the result, the writ petition stands disposed of with the above observations and directions. No costs. Consequently, connected miscellaneous petition is closed.

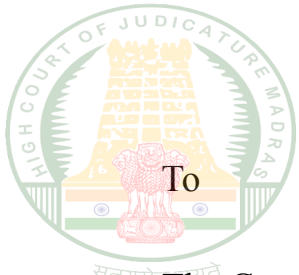
14-07-2025

cda/dsn

Internet: Yes/No

Speaking order: Yes/No

Neutral Citation: Yes/No



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To

The Commissioner,
Greater Chennai Corporation,
Rippon Buildings, Chennai.



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N.MALA J.

cda/dsn

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