



W.P.No.24257 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2025

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CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.24257 of 2014
and W.M.P.No.1 of 2014

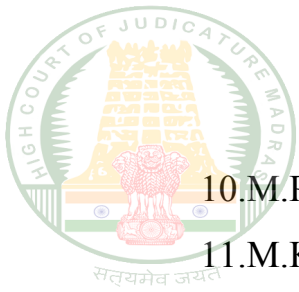
R.T.Kamaleshkumar

... Petitioner

Vs.

- 1.The Commissioner,
Corporation of Chennai,
Ribbon Building, Chennai.
- 2.The Assistant Executive Engineer (T.P.),
Zone No.5,
Corporation of Chennai,
Chennai.
- 3.The Assistant Commissioner of Police,
North Beach Road,
Chennai – 600 001.
- 4.The Inspector of Police,
C-5 Kothavalchavadi Police Station,
Chennai – 600 001.
- 5.Vasantha
- 6.M.P.Suresh Narayana
- 7.R.R.Saraswathy
- 8.M.Sakunthala
- 9.M.R.Rangiah Chetty

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10.M.P.Indira

11.M.K.Vishwanathan

12.M.K.Vishweshwariah

13.M.K.Dwarakanath

14.R.Amuruthalu Amma

15.P.V.Anushuya

16.M.N.Amara Narayanan

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the 1st and 2nd respondent Corporation authorities to receive representation from the petitioner, serve independent and separate notice upon the petitioner and act in accordance with law in the matter of demolition of the 9000 sq.ft building in Old No.97, New No.26, Block No.54, Acharappan Street, George Town, Chennai – 600 001.

For Petitioner : Mr.P.T.Perumal

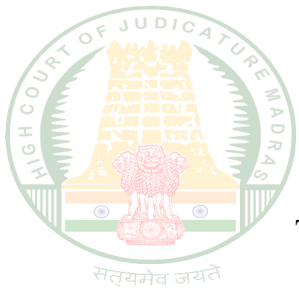
For Respondents 1 & 2 : Mr.S.Gopinathan,
Standing Counsel

For Respondents 3 & 4 : Mr.R.Kishore Kumar
Government Advocate

For Respondents 6, 7, 11 : Mr.S.L.Sudarsanam

ORDER

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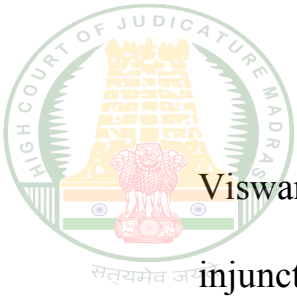
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The petitioner has filed this petition to direct the 1st and 2nd respondent Corporation authorities to receive representation from the petitioner, serve independent and separate notice upon the petitioner and act in accordance with law in the matter of demolition of the 9000 sq.ft building in Old No.97, New No.26, Block No.54, Acharappan Street, George Town, Chennai – 600 001.

2. The case of the petitioner is that the petitioner, who is a proprietor of M/s.Sri Kugan Lorry Service and a registered member of the Chennai Parcel Lorry Owners Welfare Association, has been a tenant since 2004 in a 1500 sq. ft. shop located within a 9000 sq. ft property at No.97, Acharappan Street, Chenani. The building originally belonged to Late Krishnamoorthy Chettiyar, whose legal heirs (Respondents 5 to 16) have been collecting rent from the petitioner. Despite having paid rent regularly and possessing documents such as property tax receipts, EB card, and membership certificates confirming his tenancy, the petitioner and other tenants have been facing illegal eviction threats by respondent Viswanathan (11th respondent), who has used force, disconnected basic amenities, and approached the authorities for demolition of the building. The petitioner alleges that

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Viswanathan suppressed the facts about existing tenants and a pending injunction suit while obtaining demolition orders and police protection through W.P.Nos.28011 of 2013 and 22742 of 2014. Notices for demolition were pasted on the premises without proper authority seals or tenant notifications. The petitioner has made representations to the Corporation and Police, but alleges bias and collusion in favor of the eleventh respondent. As the shop houses valuable goods and employs around 30 workers, the petitioner seeks urgent relief under Article 226 of the Constitution to prevent irreparable loss.

3. Though many grounds have been raised in this writ petition, learned counsel for the petitioner prayed this Court to permit the petitioner to give fresh representation before the respondents 1 & 2, within a time frame to be fixed by the Court.

4. Learned standing counsel appearing for the respondents 1 & 2 has no objection for the said order being passed by this Court.

5. Heard the learned counsel on either side and perused the materials



available on record.

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6. Considering the limited relief sought for by the learned counsel for the petitioner, this Court without going into the merits of the case issues the following directions:

(i) The petitioner is directed to give a fresh representation to the respondents 1 & 2 by enclosing all the relevant documents including a proof to substantiate that he is the tenant of the subject matter property, within a period of two weeks from the date of receipt of a copy of this order;

(ii) On such receipt, the second respondent is directed to consider the same, after giving due notice to the petitioner as well as respondents 5 to 16, affording an opportunity of personal hearing and considering the documents filed by both the parties on merits, in accordance with law and pass appropriate orders, within a period of eight weeks thereof.

(iii) There shall be an order of *status-quo* as on date, till the disposal of the petitioner's representation by the second respondent.

7. This writ petition is disposed of with the aforesaid observation and directions. No costs. Consequently, connected miscellaneous petition is also



closed.



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Index : Yes/No

Speaking Order : Yes/No

Neutral Citation : Yes/No

J.SATHYA NARAYANA PRASAD,J.

vm

To:

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Ribbon Building, Chennai.
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