



W.P No. 27562 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2025

CORAM

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

W.P No. 27562 of 2025

Mr.M.Suresh
S/o.Munusamy, No.48 A, 4th Street, Saraswathi Nagar,
Adambakkam, Chennai 600 088.

..Petitioner

Vs

1. The Greater Chennai Corporation,
Rep. By Its Commissioner, Ripon Building,
Poonamallee High Road, Chennai 600 003.
2. The Deputy Commissioner (south).
South Zone Chennai Corporation Office, No.115,
Dr.Muthulakshmi Road, Adayar,
Chennai 600 020.
3. The Assistant Commissioner,
Zone -14, Greater Chennai Corporation, No.6 /64,
Puzhuthivakkam Main Road, Puzhuthivakkam,
Chennai 600 091.
4. The Health Inspector,
Municipal Corporation Ward No.188, Near Bus
Terminus, Kulakarai Street, Madipakkam.
5. The Sanitary Inspector,
Municipal Corporation Ward -42, Near Bus
Terminus, Kulakarai Street, Madipakkam,
Chennai 600 091.

..Respondents



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Prayer : Writ Petition under Article 226 of the Constitution of India praying for a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order in Na.Ka.No.107716.06 / 25 dated 19/06/2025 was passed by the 3rd respondent and quash the same as illegal and consequently directing the 3rd respondent to remove the lock and seal made on 21/06/2025 at the petitioner shop situated at No.48, Bazaar Road, Sadhasivam Nagar, Madipakkam, Chennai 600 091.

For Petitioner: Mr.N.Naresh
for Mr.M.Selvakumar

For Respondents : Ms.N.Lavanya
for Mr.E.C.Ramesh, Standing Counsel

ORDER

The petitioner is a lessee / tenant of a property bearing Door No.48, Bazaar Road, Sadhasivam Nagar, Madipakkam, Chennai 600 091. The owner of the property is one Tmt.Kanniammal. Disputes are pending between the landlord and the tenant. A suit had been presented by the petitioner before the District Munsif Court at Alandur in O.S.No.149 of 2020 seeking the relief of permanent injunction restraining Tmt.Kanniammal from interfering with the peaceful possession and enjoyment of the petitioner except otherwise in accordance with law. On account of bifurcation of jurisdiction, the suit now stands transferred to the file of District Munsif Court at Sholinganallur. It is said to be pending.



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2. Tmt.Kanniammal, in her turn, had initiated a petition for eviction in R.L.T.O.P.No.13 of 2023 on the file of the Principal District Munsif Court at Alandur. She was successful in obtaining an order of eviction. Aggrieved by the said order, the petitioner has preferred an appeal before the Principal District Judge at Chengalpattu. The appeal has been numbered as R.L.T.A.No.9 of 2024 and is said to be pending.

3. In the meantime, Tmt.Kanniammal gave a complaint to the respondents, alleging that the petitioner's poultry shop, under the name and style of "Nellai Proteins" is being maintained in an unhygienic manner and in violation of the Rules. In addition, she alleged that the petitioner is running a two wheeler service centre under the name and style of "Suresh Auto Works" which is also in violation of the Tamil Nadu Urban Local Bodies Act of 1998 and the Rules made thereunder.

4. The fourth and fifth respondents visited the shops and issued a notice on 13.06.2025. They stated that the petitioner is not possessed of licence to run the two wheeler service centre and that he is running the poultry shop in an unhygienic manner. On the petitioner coming to know of the same, he approached the respondents to clarify the situation. In the meantime, on 21.06.2025 the third



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respondent passed the impugned order locking and sealing both the shops. His request for de-sealing was not considered. Hence the present writ petition.

5. It is the plea of Mr.Naresh that the petitioner is running the premises in accordance with the licence that has been given to him and there has been no violations. This Court, taking into consideration the plea of the petitioner, issued notice to the respondents calling upon them to get instructions.

6. When the matter was taken up yesterday (29.10.2025), Mr.E.C.Ramesh pointed out that the premises in which the petitioner is running the poultry shop is totally unhygienic. Hence, the fifth respondent was constrained to come to a conclusion that the further usage of the shop by the petitioner will not be in accordance with law and therefore, he was visited with the impugned order. Mr.Ramesh further submitted that if the petitioner complies with Clauses 7, 8 and 10 of the impugned order, the Corporation will permit the petitioner to continue his business, for which he has been benefited with a licence.

7. Mr.Naresh immediately submitted that he will file an affidavit of his client undertaking to rectify the defects pointed out by the respondents. To enable Mr.Naresh to do the needful, the matter was posted today.



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8. When I took up the matter today, Mr.Naresh has filed an affidavit of the petitioner, wherein he has agreed to rectify and comply with conditions 7, 8 and 10 of the impugned order, so as to bring the business in line with the licence. The affidavit does not contain any time period. Mr.Naresh states the compliance will be done within two weeks from the date the shops are unlocked and de-sealed. This statement will cover "Nellai Proteins" shop alone.

9. Insofar as the two wheeler service centre is concerned, the petitioner is not possessed of a licence. Mr.Naresh submits that certain valuable articles are inside the two wheeler shop and that if this Court directs de-sealing of the shop, he will remove the articles and apply for licence and after securing the same, will continue the same two wheeler service business.

10. Considering the affidavit filed by the writ petitioner and since he is depending on running the shop for eking out his living, I give the following directions.

(a) The respondents shall de-seal the premises tomorrow
(31.10.2025);



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(b) The petitioner shall remove the articles in the two wheeler shop by **03.11.2025;**

(c) The petitioner is granted two weeks' time that he seeks for, to rectify the defects pointed out in Clauses 7, 8 and 10 of the impugned order;

(d) Once it is rectified, on **17.11.2025** the respondents shall re-inspect the premises to confirm whether the petitioner has complied with the requirements for which an undertaking affidavit has been filed today;

(e) This order will not cover the two wheeler shop being run by the petitioner. For the purpose of two wheeler shop, the petitioner should apply for a licence, secure the same and thereafter continue with the business.

8. With the above directions, the writ petition is disposed of. No costs. The fifth respondent, who is present in Court is aware of the order. She shall act as per the web copy of the order and will not wait for the certified copy of the order to implement the same.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

KST

Note : Order to be uploaded today (31.10.2025)



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To
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V.LAKSHMINARAYANAN J.

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