



WEB COPY

WP No. 14166 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-06-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

**WP No. 14166 and
WMP NO. 16734 of 2018**

1. Asif Ali (Died),
S/o.Shagul Hameed,
No.6, Waltax Road/ VOC Salai,
Chennai-600079.
2. S.Ashraf Ali,
S/o. Shagul Hameed, No.6, Waltax Road/ VOC
Salai, Chennai - 600079.
3. S.Afroz Ali,
S/o. Shagul Hameed, No.6, Waltax Road/ VOC
Salai, Chennai - 600079.
4. A.Muhammed Taufeq,
S/o. Late Asif Ali, No.6, Waltax Road/ VOC
Salai, Chennai – 600079.

(P2 to P4 are substituted as LR's OF deceased
sole petitioner vide order dated 01.06.2026
made in WMP.8599/2026 IN WP.14166/2018)

..Petitioner(s)

Vs

1. The Commissioner
Land and estates corporation of Chennai Ripon
Building Chennai-3.
2. The District Revenue Officer
Land and estates corporation of Chennai Ripon
Building Chennai-3

..Respondent(s)



Writ Petition filed under Article 226 of Constitution of India seeking for issuance of Writ of Certiorari calling for the records pertaining to notice directing the petitioner to hand over the vacant possession under No.LE4/ 5143/ 2000 DT 25/05/2018 on the file of the second respondent and quash the same.

For Petitioner(s): Mr.P.Sidharthan

For Respondent(s): Mr.G.T.Subramaniam
Standing Counsel

Order

This Writ Petition has been filed challenging the notice issued by the 2nd respondent dated 25.05.2018 directing the petitioner to hand over the vacant possession and to quash the same.

2. The case of the petitioner is that initially the petitioner's grand father was in occupation of the land belonging to the Land and Estate Department from the year 1905, as a lessee, by constructing the super structure and after his demise the petitioner's father took possession of the same and after the demise of the petitioner's father the petitioner is in continuous possession and enjoyment of the same, by paying tax assessed by the respondents. Since, 1905, the petitioner and the ancestor of the petitioner are in possession of the property under a lease. While so, the 2nd respondent vide the impugned notice directed the petitioner to pay a sum of Rs.4,71,522/- as damage fees for use and



occupation. Being aggrieved the petitioner has filed this Writ Petition.

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3. When the matter is taken up for hearing, the learned counsel appearing for the petitioner submits that during the pendency of this writ petition, the petitioner has paid an amount, which is more than the damages claimed in the impugned order. Further, he is ready to vacate and handover the subject premises to the respondents on or before 30.04.2027. He has also filed an undertaking affidavit dated 03.06.2026 to that effect. Further, he would submit that he is ready to pay the monthly rent as fixed by this Court.

4. In view of the submission made by the learned counsel for the petitioner, the petitioner is directed to vacate and handover the subject premises to the respondents on or before 30.04.2027, failing which the respondents are at liberty to evict the petitioner, in the manner known to law. Till such time, the petitioner shall pay a monthly rent of Rs.20,000/- to the respondents every month on or before 07th of every month, commencing from July 2026. Further, it is made clear that if any previous amounts are due and payable by the petitioner towards the occupation of the premises, the respondents are at liberty to proceed against the petitioner for recovery of the same from the petitioner in accordance with law.

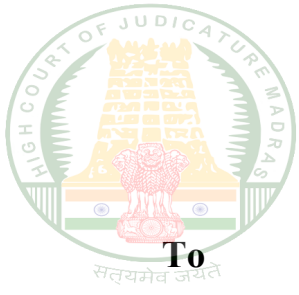


5. With the above directions, this Writ Petition is disposed of. No costs.
Consequently, connected Miscellaneous Petition is closed.

WEB COPY

10-06-2026

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

WEB COPY

1. The Commissioner
Land and estates corporation of Chennai Ripon Building Chennai-3.
2. The District Revenue Officer
Land and estates corporation of Chennai Ripon Building Chennai-3



WEB COPY

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M.DHANDAPANI J.

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WP No. 14166 of 2018

10-06-2026



WEB COPY

WP No. 14166 of 2

