



WEB COPY

WP No. 12039 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-04-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

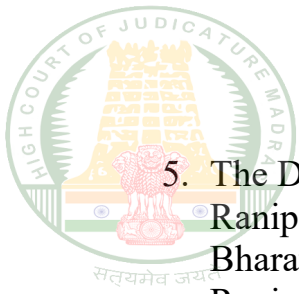
**WP No. 12039 of 2026
and W.M.P.Nos.13136 & 13138 of 2026**

1. S.Dhanavantharaj
2. S.Thangaraj

..Petitioner(s)

Vs

1. General Manager,
Hindustan Petroleum corporation Ltd
Thalamuthu Natarajar building
4th floor
Egmore, chennai-600 008.
2. Deputy General manager(Retail)
Hindustan Petroleum corporation LTd
Petro Bhavan,
No.82, TTK Road
Alwarpet
chennai-600 018.
3. Joint Chief controller of Explosives
south circle, A and D wing Block 1-8
Second floor,
Shastri bhavan
26, Haddows Road,
Nungambakkam
chennai-600 006.
4. The District collector
Ranipet collectorate office
Bharathi nagar
Ranipet-632 403.



5. The District Revenue officer(DRO)
Ranipet collector office
Bharathi Nagar
Ranipet-632 403

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..Respondent(s)

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1st and 2nd respondents to forthwith vacate and hand over peaceful and vacant possession of the leased premises measuring an extent of 6400 sq.Feet comprised in old T.S.No.187, New TS No.41, Ward B, Block 50 Madras (Chennai) to Bangalore Truck Road, Ranipet Town Wallaja Taluk, Rnaipet District - 632 401, which was leased out to them under the registered Lease Agreement dated 17.11.2009 (Document NO.7219/2009, SRO, Wallaja Nagar, Ranipet District - 632 513), within a time frame stipulated by this Hon'ble Court.

For Petitioner(s):

Mr.D.Saikumarran

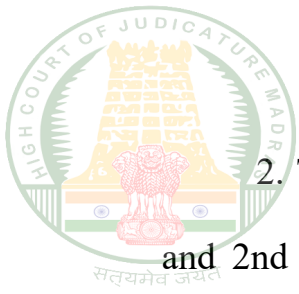
For Respondent(s):

Mr.Mohd Fayaz Ali for RR-1 & 2

Mr.T.M.Rajangam, Government Advocate
for RR-4 & 5

ORDER

W.M.P.No.13136 of 2026 filed seeking to permit the petitioners herein to file as a single petition in the above Writ Petition is ordered on payment of separate court fee. In case, the separate court fee is not paid, the order passed by this Court will enure only to the benefit of the 1st petitioner.



2. The present Writ Petition has been filed seeking a direction to the 1st and 2nd respondents to forthwith vacate and hand over peaceful and vacant possession of the leased premises measuring an extent of 6400 sq.Feet comprised in old T.S.No.187, New TS No.41, Ward B, Block 50 Madras (Chennai) to Bangalore Truck Road, Ranipet Town Wallaja Taluk, Rnaipet District - 632 401, which was leased out to them under the registered Lease Agreement dated 17.11.2009 (Document NO.7219/2009, SRO, Wallaja Nagar, Ranipet District - 632 513), within a time frame stipulated by this Hon'ble Court.

3. It is the case of the petitioners that they entered into a lease agreement with Hindustan Petroleum Corporation Limited in respect of the petition-mentioned property for a period of 15 years i.e., from 01.09.2008 and 31.08.2023. After the expiry of the said lease period, despite the issuance of legal notice, the respondents had failed to vacate the premises and hand over possession to the petitioners. Instead, the respondents unlawfully continues to operate the retail petrol outlet on the property. Aggrieved by which, the petitioners have come forward with the present Writ Petition.

4. Learned counsel appearing for the petitioners submitted that, in view of the expiry of the lease period, the respondents have no valid right to continue in possession and has to be treated as encroachers. Being a public limited

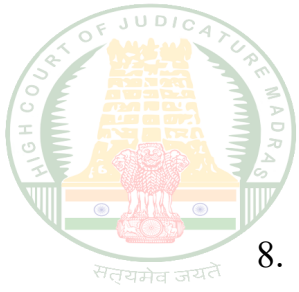


company, the respondents cannot continue to occupy the premises without any valid agreement. Therefore, this Court may issue a direction to the respondents to vacate the premises and hand over the possession to the petitioners.

5. Learned counsel appearing for the respondents 1 & 2 submitted that the original lease agreement was entered into in 1968 between the respondents and three individuals and it had been periodically renewed up to 31.08.2023. However, only two lessors have filed the present Writ Petitions. In the absence of other co-owner, the petitioners cannot seek eviction of the respondents. Accordingly, he prayed for dismissal of the Writ Petition.

6. In response, the learned counsel appearing for the petitioners submitted that the third person is deceased and was the brother of the petitioners. The property is a joint family property and that the petitioners are entitled to represent his interest and maintain the present Writ Petition. Accordingly, he prayed for allowing the Writ Petition.

7. Considering the aforesaid submissions, the 1st and 2nd respondents are directed to vacate and handover the petition mentioned property to the petitioners within a period of six (6) months from the date of receipt of a copy of this order. Till such time, the respondents are directed to pay a sum of Rs.50,000/- per month from 01.09.2023 after adjusting the amount already paid.



8. The Writ Petition is allowed in the above terms. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

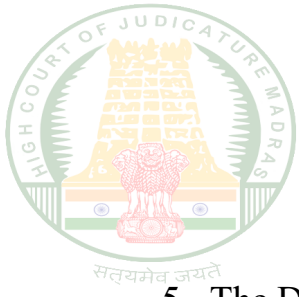
28-04-2026

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

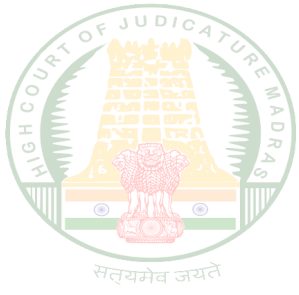
NHS

To

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M.DHANDAPANI, J.

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