



WEB COPY



W.P.No.15686 of 2024
and
W.M.P.No.17091 of 2024

V.BHAVANI SUBBAROYAN, J.

This petition is filed to issue a writ of Certiorarified Mandamus to call for the records pertaining to the order dated 28.08.2022 passed by the first respondent in case No.PP/4/CUDD/2022 and quash the same as unconstitutional and further direct the respondent to restore petitioner's possession in the property measuring an extent of 393 $\frac{3}{4}$ Sq.ft in T.S.No.348, Now T.S.No.346/5 having Door No.58-A Vellapirandian Mudali Street, Chidmbaram, Cuddalore District and pass orders.

2. The case of the petitioner is that the petitioner is the owner of the subject property situated at 393 $\frac{3}{4}$ sq.ft in T.S.No.348, now T.S.No.346/5 having Door No.58-A Vellapirandian Mudaliar Street, Chidambaram which was originally purchased by petitioner's father Mr.Kalvikarasan vide Sale Deed No.430 of 2010 registered in the Office of the Sub-Registrar, Chidambaram on 15.02.2010. While so, the second respondent has filed a



WEB COPY

petition before the first respondent under Section 4,5 and 7 of the Tamil Nadu Public Premises Act,1975 (TN Act 1 of 1976) to evict the petitioner from the subject property and the same was ordered by the first respondent in No.PP/4CUDD/2022 on 28.08.2022 with a direction to the petitioner who is the respondent therein to vacate the schedule mentioned premises within 30 days from the date of receipt of a copy of this order. Challenging the order of the first respondent in No.PP/4CUDD/2022 on 28.08.2022 the petitioner has preferred an appeal before the District Judge, Cuddalore in A.S.No.33 of 2022 and the same is pending. When this being the case, the second respondent has taken possession of the property and continued the unauthorized construction of the building inspite of the fact that the stop notice was issued by the Commissioner of the Chidambaram Municipality. Hence this petition.

3.In view of the above, there shall be an order of Status Quo till 19.07.2024.



WEB COPY 4. Mr.R. Abdul Mubeen, Standing Counsel takes notice for R1.

Notice to the second respondent returnable by 19.07.2024. Post the matter
on 19.07.2024.

18.06. 2024

smn



WEB COPY



V.BHAVANI SUBBAROYAN,J.

smn

W.P.No.15686 of 2024
and
W.M.P.No.17089 of 2024

18.06.2024