

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 22.04.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.11681 of 2015
and M.P.No.1 of 2015

K.Meiyazhagan

.. Petitioner

Versus

1. The Superintendent Engineer
Public Works Department/ WRO Upper Kavery
Basin Division Salem-7 Salem District.
 - 2 The Executive Engineer
Public Works Department Water Resources
Organisation (WRO) Stanley Reservoir
(Mettur Dam) Sub Division Mettur Dam-1
Salem District.
 - 3 The Assistant Executive
Engineer Public Works Department Water
Resources Organisation (WRO) Stanley
Reservoir (Mettur Dam) Sub Division Mettur
Dam-1 Salem District.
- .. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the respondents to extend the lease period of the shop to the petitioner by increasing 15% margin of the earlier rent fixed by the respondents based on the petitioner application dated 1.4.2015 consequently forbear the respondents from inviting or calling for the applications in respect of petitioner shop at inside the park of Mettur Dam.

For Petitioner : Mr.M.R.Jothimanian

For Respondents : Mr.Durai Solaimalai
Additional Government Pleader.

O R D E R

By consent, the main writ petition is taken up for final disposal.

2. In response to the notification, the petitioner applied for allotment of shop through public auction and the shop was allotted to him vide proceedings dated 06.06.2014 by the 2nd respondent and he has also executed an agreement and the period expires on 06.06.2015. The petitioner apprehending that without extending the period of lease/licence, in terms of G.O.Ms.No.92, Municipal Administration and Water Supply Department, dated 03.07.2007, the 2nd respondent contemplate to go for public auction and in this regard, he submitted a representation dated 01.04.2015, praying for renewal / extension of lease / licence and since, it has not been responded, came forward to file this writ petition.

3. Heard the submissions of Mr.M.R.Jothimanian, learned counsel appearing for the petitioner and Mr.Durai Solaimalai, learned Additional Government Pleader, who accepts notice for the respondents.

4. Though, the petitioner has sought for a larger relief, this Court in the facts and circumstances of the case, is of the view that it would be suffice to direct the 2nd respondent to consider and dispose of the petitioner's representation dated 01.04.2015, within a stipulated time.

5. In the result, this Court, without going into the merits of the petitioner's representation, directs the 2nd respondent to consider and dispose of the petitioner's representation dated 01.04.2015, on merits and in accordance with law, as expeditiously as possible and not later than three weeks from the date of receipt of a copy of this order and inform the decision taken to the petitioner.

6. The writ petition is disposed of, accordingly. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent Engineer

Public Works Department/ WRO Upper Kavery

Basin Division Salem-7 Salem District.

- 2 The Executive Engineer
Public Works Department Water Resources
Organisation (WRO) Stanley Reservoir
(Mettur Dam) Sub Division Mettur Dam-1
Salem District.
- 3 The Assistant Executive
Engineer Public Works Department Water
Resources Organisation (WRO) Stanley
Reservoir (Mettur Dam) Sub Division Mettur
Dam-1 Salem District.

1 cc to Government Pleader, Sr.No22072
1 cc to Mr.M.R.Johtimanian ,Advocate, SR.No.21943

tej(co)
pmk.30.4.2015

W.P.No.11681 of 2015



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