

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.3469 of 2015

M.Amulraj

... Petitioner

vs.

1. Government of India
rep.by its Secretary
Ministry of Defence
New Delhi 110 011.

2. The Defence Estate Officer
Madras Circle
No.306, Anna Salai
Teynampet, Chennai 600 018.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, directing the second respondent to renew the lease of the land situated at St.Thomas Mount cum Pallavaram recorded in the General Land Register of the Cantonment; as S.Nos.165 and 163-2, measuring an extent of 71 cents, in favour of the petitioner, on the basis of his representation dated 06.06.2013.

For Petitioner : Mr.N.Rajan

For Respondents : Mr.S.Udayakumar

Senior Central Government Standing
Counsel for RR1 and 2

ORDER

Heard Mr.N.Rajan, learned counsel for the petitioner and Mr.S.Udayakumar, learned Senior Central Government Standing Counsel appearing on behalf of the respondents.

2. The petitioner seeks for the issuance of a writ of mandamus to direct the second respondent to renew the lease of the land situated at St.Thomas Mount cum Pallavaram recorded in the General Land Register of the Cantonment; as S.Nos.165 and 163-2, measuring an extent of 71 cents, in favour of the petitioner by considering his representation dated 06.06.2013.

3. It is seen that the Cantonment Board in the year 1992 informed the petitioner and one Loganathan that the second term of lease in respect of the property in question for 30 years had expired on 04.09.1992 and they were requested to intimate as to whether they are willing to renew the lease hold right of the said property for a further final period of thirty years with effect from 15.09.1992 or not. It appears that the petitioner and the said Loganathan did not exercise their option within the time permitted by the respondents. But, belatedly, they have given a representation expressing their willingness vide representation dated 21.10.2014.

4. In the light of the above facts, there will be a direction to the second respondent to consider and dispose of the representation dated 21.10.2014 submitted by the petitioner on merits and in accordance with law, as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Asst. Registrar

/true copy/

Vj2

Sub Asst. Registrar.

To

1. Secretary to Government of India
Ministry of Defence
New Delhi 110 011.
2. The Defence Estate Officer
Madras Circle
No.306, Anna Salai
Teynampet, Chennai 600 018.

+1cc to Mr.N.Rajan, Advocate, S.R.No.11384
+1cc to Mr.S.UdayaKumar, SCGSC, S.R.No.11488

SK(CO)
CA(06/03/2015)

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