

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.6923 of 2015 & MP.No.1/2015

M.Nirmala

...Petitioner

Versus

1. The President,
Thesur Town Panchayat
Thesur, Vandavasi Taluk
Thiruvannamalai District.

2. The Executive Officer
Thesur Town Panchayat
Thesur.
Vandavasi Taluk
Thiruvannamalai District.

...Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of MANDAMUS directing the respondents to renew the lease without public auction for further period of nine years up to 2018 as per G.O.Rt.No.92 dated 03.07.2007 in respect of shop No.1, Thesur Bus Stand, Thesur Town Panchayat, Vandavasi Taluk, Thiruvannamalai District.

For Petitioner : Mr.N.Sampath

For Respondents : Mr.S.Gunasekaran
Government Advocate

ORDER

Heard Mr.N.Sampath, learned counsel for the petitioner and Mr.S.Gunasekaran, learned Government Advocate appearing on behalf of the respondents and with their consent, the writ petition is disposed of at the admission stage itself.

2. The petitioner seeks for issuance of a writ of mandamus to direct the respondents to renew the lease without public auction for further period of nine years up to 2018 as per G.O.Rt.No.92 dated 03.07.2007 in respect of shop No.1, Thesur Bus Stand, Thesur Town Panchayat, Vandavasi Taluk, Thiruvannamalai District.

3. The petitioner is a lessee in respect of a shop in the bus stand complex, constructed and owned by the respondent/Town Panchayat. The petitioner would state that in terms of G.O.Rt.No.92 dated 03.07.2007, she is entitled for extension of the lease up to 2018 on payment of the enhanced lease amount. In this regard, the petitioner has given a representation dated 08.02.2015 and has also remitted a sum of Rs.1,300/- towards rent. The petitioner would further state that without reference to his representation, now a resolution has been passed by the Municipal Council to bring the said shop for public auction.

4. In the light of the above, there will be a direction to the 2nd respondent to consider the representation of the petitioner dated 08.02.2014 in the light of the G.O.Rt.No.92 dated 03.07.2007 and examine as to whether the petitioner is entitled to the benefit of the said Government Order and pass a reasoned order in accordance with law, within a period of two weeks from the date of receipt of a copy of this order, in any event, before notifying any public auction.

5. The writ petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

AP/gya

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To

1. The President,
Thesur Town Panchayat
Thesur.
Vandavasi Taluk
Thiruvannamalai District.

2. The Executive Officer
Thesur Town Panchayat
Thesur.
Vandavasi Taluk
Thiruvannamalai District.

1 CC to Mr.N.Sampath, Advocate SR.No. 13961

WP.No.6923 of 2015

RSK (CO)
PSI (21.03.2015)



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