

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-08-2016

CORAM

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN

W.P. Nos. 21223 and 21229 of 2016

&

W.M.P. Nos.18139, 18140, 18151 and 18152 of 2016

R.Chandrakumar ..Petitioner in WP 21223/2016
N.Eswaramoorthi ..Petitioner in WP 21229/2016

Vs.

1.State Rep. by the Secretary,
Municipal Administration and Water Supply,
Fort St. George,
Chennai-600 009.

2.The Commissioner,
Thirupur Corporation,
(Formerly Thirupur Municipality),
Thirupur, Thirupur District.

3.The Superintendent of Police,
Thiruppur District.

(R-3 is impleaded as per order of
Court dated 18.8.2016)

..Respondents in both WPs

Prayer : Petitions under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus to call for the records in respect of impugned notice in Ref.Ve.Aa.No.114/2016/Che.Ma.Tho.A/Tiruppur dated 7.6.2016 in file No.A2/2068/2016 of the second respondent in respect of Shop of the petitioners at Shop Nos.27 and 26 of Old Bus Stand, Thirupur, quash the same and consequently to direct the respondents to strictly implement the G.O.Ms.No.147 dated 30.12.2000 and G.O.Ms.No.92 dated 3.7.2007 issued by the first respondent by granting renewal of lease at a reasonable rent.

For Petitioner in both WPs :: Mr.C.S.Dhanasekaran

For Respondents in both WPs:: Mr.T.M.Pappiah,
Special Government
pleader for R1 and R3

Mr.S.Silambannan,
Senior Counsel
for Mrs.P.Shanthi for R2

C O M M O N O R D E R

Both these petitions have been filed by petitioners seeking Writ of Certiorari of Mandamus, calling for the records in respect of impugned notice in Ref.Ve.Aa.No.114/2016/Che.Ma.Tho.A/Tiruppur dated 7.6.2016 in file No.A2/2068/2016 of the second respondent in respect of Shop of the petitioners at Shop Nos.27 and 26 of Old Bus Stand, Thirupur, quash the same and consequently to direct the respondents to strictly implement the G.O.Ms.No.147 dated 30.12.2000 and G.O.Ms.No.92 dated 3.7.2007 issued by the first respondent by granting renewal of lease at a reasonable rent.

2. Mr.C.S.Dhanasekar, learned counsel appearing for the petitioners would submit that the petitioners are not able to pay the enhanced license/lease amount fixed by the Municipality and therefore, they seek time to vacate the premises. As per the Division Bench judgment of this Court, regarding the same Municipality, three months time has been granted. Accordingly, three months time is directed to be given by the Municipality after getting an affidavit from the petitioners that they undertake to vacate the premises. After taking possession, the second respondent has to file a compliance report before this Court and it is made clear that the surrendered shops should not be let out to any third parties without the permission of this Court.

3. With the above observations, the writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

Svn

To

1.The Secretary,
Municipal Administration and Water Supply,
Fort St. George,
Chennai-600 009.

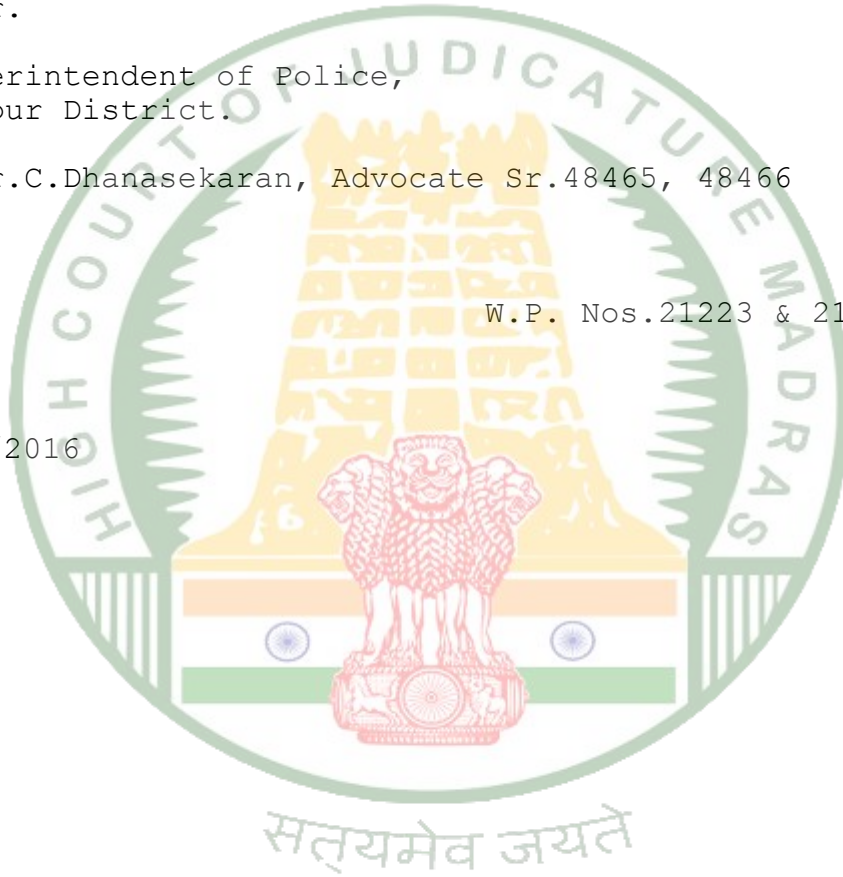
2.The Commissioner,
Tirupur Corporation,
Tirupur.

3.The Superintendent of Police,
Thiruppur District.

+2cc to Mr.C.Dhanasekaran, Advocate Sr.48465, 48466

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bvr[co]
srg 15/09/2016



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