

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-08-2016

CORAM

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN

W.P. No. 21226 of 2016

&

W.M.P. Nos.18145 and 18146 of 2016

S.Arumugam

..Petitioner

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

Prayer : Petition under Article 226 of the Constitution of India praying for issue of a 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 petitioner at Shop No.23 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 :: Mr.C.S.Dhanasekaran

For Respondents:: Mr.V.Jayaprakash Narayanan,
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

This petition has been filed by petitioner seeking Writ of a Certiorarified 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 petitioner at Shop Nos.23 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. Since the petitioner was aggrieved by the amount fixed as the monthly rent/license amount by the second respondent, he approached this Court and since he is not willing to pay the amount to the shop which was directed to be auctioned. Accordingly, auction was conducted and a third party by name P.Suresh is the L-1 and he quoted Rs.38,050/-. Since the said amount is more than the amount quoted by the petitioner, the shop has to be taken possession from the petitioner and the same has to be handed over to the said L-1 after entering into a lease agreement for 3 years.

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

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-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

Svn

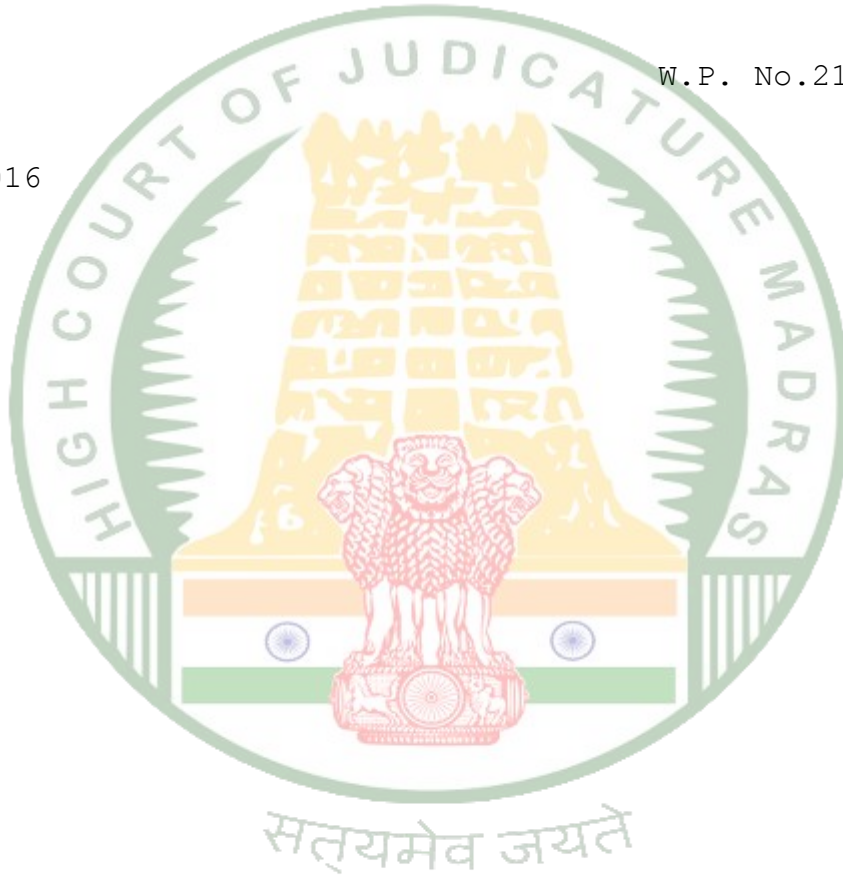
To

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

2.The Superintendent of Police,
Thiruppur District.

W.P. No.21226 of 2016

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