

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2016

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P. No.23072 of 2016

&

W.M.P.Nos.19762 & 19763 of 2016

R.Senthil Babu

... Petitioner

Versus

The Salem Corporation,
Rep.by its Assistant Commissioner,
Ammamet Ward Office,
Salem, Salem District.

... Respondent

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus, calling for records relating to the order of the respondent dated 05.04.2016 in Na.Ka.No.L8/676/2016 and quash the same and consequently direct the respondent to fix a reasonable rent for the Shop No."A" Periyar Perangadi Old Shop, Salem, Salem District.

For Petitioner : Mr.K.Selvaraj

For Respondent : Mr.S.Diwakar
Special Government Pleader

सत्यमेव जयते
O R D E R

The petitioner is a lessee in respect of Shop No."A" measuring about 48 sq.ft. in Periyar Perangadi Old Shop, Salem, Salem District from 1990 onwards. He is running a business in the name and style of M/s.Lingan Travels and Lingam Road Transport. The petitioner has been paying a sum of Rs.2,800/- as monthly rent. By notice dated 05.04.2016, the respondent's Municipality fixed the rental value at Rs.20,000/- per month and demanded the said amount to continue the licensee / lessee. The said order is being challenged before this Court.

2.This Court, by interim order dated 04.07.2016 permitted the Salem Corporation to go ahead with the auction, as

the petitioner refused to pay the enhanced rental amount. Subsequently, the petitioner paid the enhanced amount of Rs.3,00,000/ [Rupees Three Lakhs Only] on 18.07.2016. However, it is brought to the knowledge of the respondent that the area occupied by the petitioner is only to an extent of 48 sq.ft. and not of 200 sq.ft. and therefore, he sought for reduction of the rental amount.

3.Considering the extent of area of the petitioner's shop, the request of the petitioner has been accepted by the respondent and by order dated 04.08.2016, the Assistant Commissioner, Zone No.3, Ammapet, Salem Corporation ordered for payment of monthly rent at Rs.4,800/- instead of Rs.20,000/-. The petitioner also agreed to the said sum of Rs.4,800/- as monthly rent/ licensee amount and also sent a consent letter to the respondent.

4.In view of the above, this the Writ Petition is disposed of. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

sri

To

The Assistant Commissioner,
Salem Corporation,
Ammamet Ward Office,
Salem, Salem District.

+1cc to Mr.K.Selvaraj, Advocate, S.R.No.44273
+1cc to Mr.K.Bhuvaneswari, Advocate, S.R.No.44674

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AK(CO)
CA(18/08/2016)