

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.08.2016

CORAM

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN

W.P. Nos. 23316 to 23319 of 2016

&

W.M.P. Nos. 20018 to 20025 of 2016

Mrs. S. Muli Devi ..Petitioner in
W.P. No. 23316 of 2016

Mrs.D. Kamala Devi ..Petitioner in
W.P. No. 23317 of 2016

Mr. Parasmal Dhalaram ..Petitioner in
W.P. No. 23318 of 2016

Mr.R. Dharani Chand Rawatmal ..Petitioner in
W.P.No. 23319 of 2016

Vs.

1. State of Tamil Nadu,
rep. by its Secretary to Govt.,
Department of Municipal
Administration and
Water Supply,
Secretariat, Fort St. George,
Chennai - 600 009.

2. The Commissioner,
Salem Municipality,
Office of Salem Municipality
(Revenue),
Salem.

3. The Assistant Commissioner,
Office of Ammapettai Ward,
Salem Municipality,
Salem.

..Respondents in all the writ
petitions

Prayer in W.P. Nos. 23316 of 2015 to 23319 of 2015: Petitions under Article 226 of the Constitution of India praying for issue of a Writ of Certiorarified Mandamus to call for the entire records pertaining to G.O.Ms. No. 92 Municipality Administration and Water Supply Department dated 03.07.2007 issued by the 1st respondent and the consequential proceedings Na.Ka.No. L8/676/16 dated 05.04.2016 issued by the 3rd respondent, and quash para-4 (iii) of the said G.O.Ms.No. 92 Municipality Administration and Water Supply Department dated 03.07.2007 and said consequential proceedings Na.Ka.No. L8/676/16 dated 05.04.2016 issued by the 3rd respondent and direct the respondents to continuously follow the existing procedure for fixing the rent as directed by the Hon'ble Supreme Court in the order dated 23.04.1991 passed in Civil Appeal No. 1441-1444/91.

For Petitioners in all the
writ petitions :: Mr.P. Thiagarajan

For Respondents in all the
writ petitions :: Mr.P.V. Selvakumar,
Addl. Govt. Pleader for R1
Mr.S. Diwakar,
Special Govt. Pleader for
R2 & R3

COMMON O R D E R

Mr.P. Thiagarajan, learned counsel for the petitioners would submit as per the demand made by the 2nd respondent, the respective petitioners have agreed and also paid the enhanced monthly rent fixed by the 2nd respondent as well as the caution deposit. The said fact is also admitted by the learned Special Government Pleader appearing for respondents 2 and 3.

2. In view of the above fact that the respective petitioners have paid the enhanced monthly rent as well as the caution deposit, as demanded by the 2nd respondent, the 2nd respondent is directed to extend the lease period in favour of the respective petitioners, for a period of three years, initially, as per G.O.Ms. No. 92 Municipal Administration and Water Supply Department dated 03.07.2007 and the 2nd respondent shall also enter into lease agreements with the respective petitioners, based on the new lease amount.

3. The writ petitions are disposed of with the above observations. No costs. Connected W.M.P.s are closed.

s/d-
Assistant Registrar (CS-VI)

True Copy

Sub-Assistant Registrar

NV
To

1. The Secretary,
Department of Municipal
Administration and
Water Supply,
Secretariat, Fort St. George,
Chennai - 600 009.
2. The Commissioner,
Salem Municipality,
Office of Salem Municipality
(Revenue),
Salem.
3. The Assistant Commissioner,
Office of Ammapettai Ward,
Salem Municipality,
Salem.

+1 cc to Mr.S.Diwakar Advocate sr 47340

W.P. Nos. 23316 to 23319 of 2016
&

सत्यमेव जयते
W.M.P. Nos. 20018 to 20025 of 2016

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