

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.08.2016

CORAM

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN

W.P. No. 23321 of 2016

&

W.M.P. Nos. 20028 & 20029 of 2016

Mr.D. Ramesh @ Ramesh Kumar

..Petitioner

Vs.

1. State of Tamil Nadu,  
rep. by the Secretary to Govt.,  
Municipal Administration and  
Water Supplies Department,  
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

Prayer: Petition 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 Municipal Administration and Water Supply Department dated 03.07.2007 issued by the 1<sup>st</sup> respondent and the consequential proceedings Na.Ka.No. L8/676/16 dated 05.04.2016 issued by the 3<sup>rd</sup> respondent, and quash para-4(iii) of the said G.O.Ms.No. 92 Municipal 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 3<sup>rd</sup> 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 Petitioner :: Mr.P. Thiagarajan

For Respondents :: Mr.P.V. Selvakumar  
Addl. Govt. Pleader for R1  
Ms.K. Bhuvaneswari  
for R2 & R3

O R D E R

Mr. P. Thiagarajan, learned counsel for the petitioner would submit that as per the demand made by the 2<sup>nd</sup> respondent, the petitioner has agreed and also paid the enhanced monthly rent fixed by the 2<sup>nd</sup> respondent as well as the caution deposit. The said fact is also admitted by the learned counsel for respondents 2 and 3.

2. In view of the above fact that the petitioner has paid the enhanced monthly rent as well as the caution deposit, as demanded by the 2<sup>nd</sup> respondent, the 2<sup>nd</sup> respondent is directed to extend the lease period in favour of the petitioner, 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 2<sup>nd</sup> respondent shall also enter into lease agreement with the petitioner, based on the new lease amount.

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

Sd/-  
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

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

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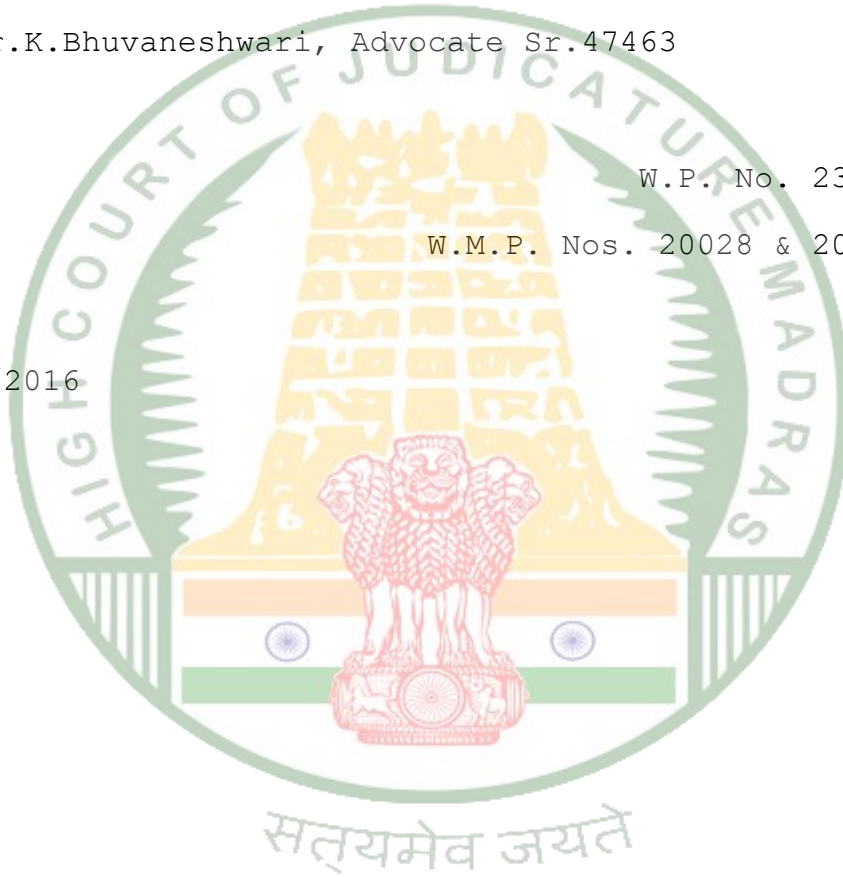
2. The Commissioner,  
Salem Municipality,  
Office of Salem Municipality  
(Revenue),  
Salem.
3. The Assistant Commissioner,  
Office of Ammapettai Ward,  
Salem Municipality,  
Salem.

+lcc to Mr.K.Bhuvaneshwari, Advocate Sr.47463

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&  
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nr[co]  
srg 08/09/2016



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