

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.08.2016

CORAM

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN

W.P. No. 23553 of 2016

&

W.M.P. Nos. 20161 & 20162 of 2016

A. Jasraj ..Petitioner

Vs.

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

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Certiorarified Mandamus to call for the records pertaining to G.O.Ms. No. 92 Municipal 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 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 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 Petitioner :: Mr.P. Thiagarajan
For Respondents :: Mr.P.V. Selvakumar
 Addl. Govt. Pleader for R1
 Mrs.K. Bhuvaneshwari
 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 2nd respondent, the petitioner has 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 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 2nd respondent, the 2nd 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 2nd 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/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

To

1. The Secretary,
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 M/s.K.Bhuvaneswari,advocate,sr.47464.

rp(co)
krd 7/9

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