

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 01.12.2016

CORAM

THE HON'BLE MR.JUSTICE M.S.RAMESH

W.P.No.15683 of 2012
and M.P.Nos.1 & 2 of 2012

M.Velmurugan

.. Petitioner

vs

The Assistant Commissioner
North Zone, Coimbatore Corporation,
Coimbatore.

.. Respondent

Prayer. : Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus calling for the records relating to impugned order passed by the respondent in Na.Ka.No.1780/12/A1 dated 21.05.2012 and quash the same insofar as fixing of lease rent on market rate basis and consequently direct the respondent to accept the enhanced lease rent at the rate of 15% as per G.O.Ms.No.92 MAWS Department dated 03.07.2007. on expiry of leave period.

For Petitioner : Mr.G.Sankaran

For Respondent : Mr.J.Sathyanarayana Prasad

ORDER

The petitioner is the lessee under the respondent corporation. By the impugned order dated 21.05.2012, the respondent had enhanced the lease amount based on the market value. The grievance of the petitioner is that the petitioner is entitled for renewal of lease period automatically on an enhanced rent of 15% for the next three years upto period of nine years as per G.O.Ms.No.92 MAWS Department, dated 03.07.2007. Since the respondent has enhanced the rent on the existing market value, the present writ petition has been filed.

2. When the writ petition was taken up for hearing, the learned counsel appearing for the respondent would submit that pending the writ petition, the respondent had enhanced lease amount by 15% for the period from 01.04.2012 to 31.03.2013 as well as the period commencing from 01.04.2012 to 31.03.2015. The learned counsel would further submit that since the grievance of the petitioner has been met, no further

adjudication is required in the writ petition.

3. As evidenced from the averments made in the affidavit, the petitioner is only against the abnormal enhancement made in the impugned order. Now that the respondent has chosen to enhance the lease amount of 15% for further period of three years, no further adjudication is required in the writ petition.

4. Recording the submissions made by the learned counsel appearing for the respondent, this writ petition is closed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

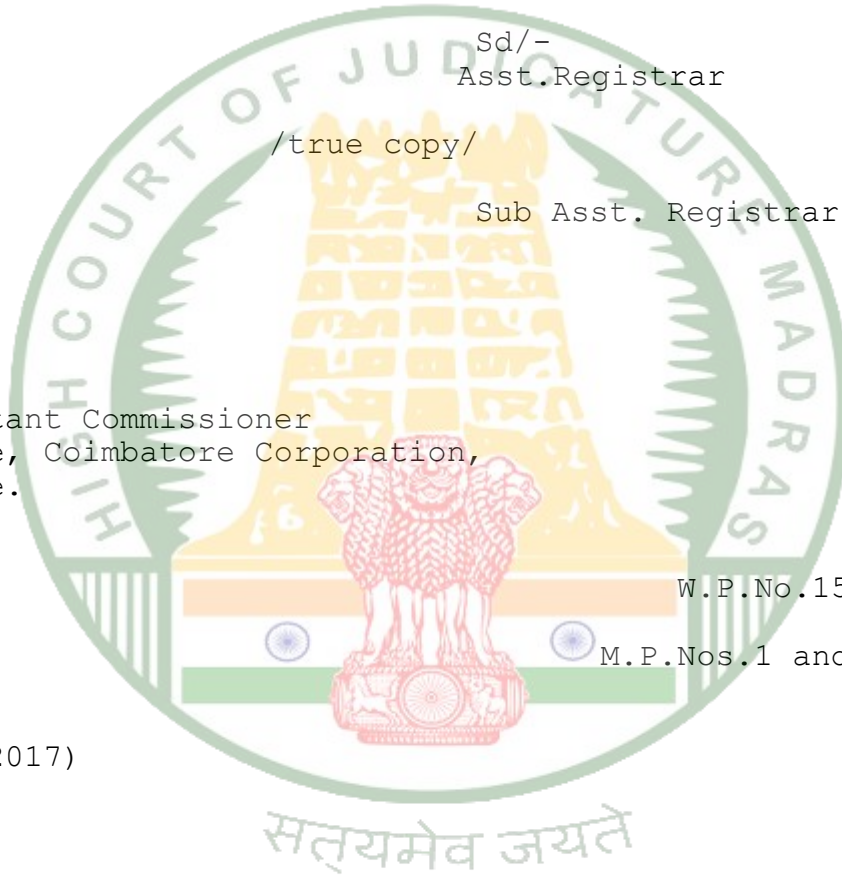
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To

The Assistant Commissioner
North Zone, Coimbatore Corporation,
Coimbatore.

W.P.No.15683 of 2012
and
M.P.Nos.1 and 2 of 2012

rsy(co)
ss(18/01/2017)



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