

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2016

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P.No.5108/2016 & WMP.No.4452/2016

S.P.Sadhasivam

..

Petitioner

Vs

The Executive Officer
Selection Grade Town Panchayat
Palcode Town, Palacode 636808
Dharmapuri District.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of certiorarified mandamus calling for the records in Na.Ka.No.100/2008/A1 dated 30.04.2015 on the file of the respondent and quash the order in respect of 25% increased rent and direct the respondent to fix the rent in accordance with G.O.Ms.No.92 dated 03.07.2007.

For Petitioner : Mr.S.C.Vishwanth
For Respondent : Mr.R.M.Muthukumar, AGP

ORDER

Heard Mr.S.C.Vishwanth, learned counsel for the petitioner ; learned Mr.R.M.Muthukumar, learned Additional Government Pleader accepting notice on behalf of the respondent and with their consent, this writ petition is taken up for final disposal at the admission stage itself.

2 The petitioner who is a lessee, seeks for issuance of a writ of certiorarified mandamus to quash the impugned proceedings dated 30.04.2015 whereby the respondent has agreed to extend the lease granted in favour of the petitioner by a further period of three years on the petitioner paying 25% enhanced lease amount. The petitioner has submitted a representation dated 24.09.2015 contending that in terms of G.O.Ms.No.92, dated 03.07.2007, the third renewal should be granted by accepting the enhanced lease amount by 155 and not more than 15%.

3 Learned counsel for the petitioner submitted that he would be satisfied that if the petitioner's representation dated 24.09.2015 is considered in the light of the said Government Order.

4 Taking note of the said submission, there will be a direction to the respondent to consider the petitioner's representation dated 24.09.2015 on merits and in accordance with law and examine as regards the applicability of G.O.Ms.NO.92 dated 03.07.2007 and take a reasoned decision on merits and in accordance with law within a period of three weeks from the date of receipt of a copy of this order.

5 The writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

AP

To:

The Executive Officer
Selection Grade Town Panchayat
Palcode Town, Palacode 636808
Dharmapuri District.

+1 cc to Mr.RM.Muthukumar Advocate sr.9151
+3 ccs to M/S.S.C.Vishwanth Advocate sr.8908

WEB COPY

WP.No.5108/2016

aa18/02/2016