



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.07.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P(MD).No.12757 of 2016

Iburangani

... Petitioner

Vs.

The Executive Officer,
Thondi Town Panchayat,
Thondi,
Ramanathapuram District.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the respondent to change the name in rent receipt to the petitioner's name for shop No.11, New Bus-Stand, Thondi, Ramanathapuram District by considering the petitioner's representation, dated 25.01.2009 & 18.07.2016 within a stipulated time.

For petitioner : Mr.S.Muthukumar
For Respondent : Mr.M.Rajarajan,
Government Advocate

ORDER

The petitioner Mr.Iburangani, who is presently running Shop.No.11 at New bus-stand, Thondi, Ramanathapuram District as sub-lessee, has come to this Court seeking a direction to the respondent to change the allotment in his name in respect of the said Shop, on the basis of his representations, dated 25.01.2009 & 18.07.2016.

2. The learned counsel for the petitioner would submit that the aforementioned Shop in question, which belongs to the respondent/Thondi Town Panchayat, was allotted in favour of one Rajammal. After sometime, on an undertaking between the petitioner and the said Rajammal, the former became the sub-lessee from 2009. Since then, he has been paying the tax and electricity bills in the name of said Rajammal. Subsequently, on 25.01.2009, the petitioner has made a representation to the respondent in person, along with the said Rajammal and gave an Application to change the allotment in his favour by submitting a no-objection letter by the said Rajammal to change the allotment in his favour. Services rendered by the respondent in his name so far. Hence, this Writ Petition.



3. Mr.M.Rajarajan, learned Government Advocate takes notice for the respondent.

4. This Court is not inclined to accept the prayer made by the petitioner for the reason that when the shop in question was originally allotted in favour of Rajammal, there cannot be any agreement between her and a third party viz., the petitioner, as such transaction is not permissible.

5. In the result, this Writ Petition is dismissed.
No Costs.

Sd/-
Assistant Registrar(CS II)

/True copy/

Sub Assistant Registrar

To
The Executive Officer,
Thondi Town Panchayat,
Thondi,
Ramanathapuram District.

+1cc to Mr.S.Muthukumar, Advocate SR.NO.38161

sm:CK:01/09/2016:2P/3C

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