



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.08.2016

WEB COPY

CORAM

THE HONOURBLE MR. JUSTICE T. RAJA

W.P(MD) . No.15284 of 2016

and

W.M.P. (MD) .Nos.11252 and 11253 of 2016

M.P.Subbiah Doss

... Petitioner

Versus

The Tirunelveli Municipal Corporation
rep. By its Assistant Commissioner,
Thatchanallur Zone,
Tirunelveli.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorari to call for the records relating to the impugned demand notice in Na.Ka.No.A1/3554/2015, dated 04.01.2016 of the respondent and quash the same.

For petitioner : Mr.J.Ashok

For respondent : Mr.Aairam K.Selvakumar

O R D E R

The petitioner herein challenges the demand notice, dated 04.01.2016, issued by the respondent/Corporation, on the ground that the latter cannot demand arrears of rent for the period from 01.04.2004 to 31.03.2016 with retrospective effect, by increasing the rent for the previous year.

2. Learned counsel for the petitioner would submit that the petitioner, who is the tenant of shop No.13 allotted in the Central Bus Stand Extension Area Complex of the respondent Municipality, is regularly paying the rent without arrears and while so, the respondent is demanding more rent for previous years with retrospective effect along with penal charges, therefore, the impugned order is liable to be interfered with.



3. Mr.Aairam K.Selvakumar, learned Counsel appearing for the respondent/Corporation submitted that the respondent/Corporation has decided to withdraw the impugned order with liberty to issue fresh notice to the petitioner.

4. Recording the abovesaid statement, this Writ Petition stands closed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

skn

To

The Assistant Commissioner,
Thatchanallur Zone,
Tirunelveli Municipal Corporation
Tirunelveli.

+1CC to Mr.J.Ashok, Advocate Sr.No.45838

+1CC to Mr.Aairam K.Selvakumar, Advocate Sr.No.45727

GJM/SS3/9.9.16-2p-4C

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