



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.12.2016

CORAM:

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.22998 of 2016

and

W.M.P (MD) No.16475 of 2016

Ganesan

: Petitioner

Vs.

The Commissioner,
Usilampatti Municipality,
Usilampatti, Madurai District.

: Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to fix proper rent to the petitioner Shop No.63 at Usilampatti Bus Stand and consequently forbear the respondent from evicting the petitioner from the above Shop.

For Petitioner : Mr.R.Murali

For Respondent : Mr.K.Mahendran

O R D E R

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondent to fix proper rent to the petitioner's shop No.63 at Usilampatti Bus Stand and consequently forbear the respondent from evicting the petitioner from the above shop.

2.Heard the learned counsel appearing for the petitioner and the learned counsel, who took notice for the respondent. By consent, the writ petition itself is taken up for final disposal.

3.The case of the petitioner is that shop No.63 in Usilampatti Bus Stand was occupied by the petitioner for the past several years and he is paying the rent regularly without any default. The respondent herein wanted the consent of the petitioner for paying the new enhanced rent. Accordingly, the petitioner has forced to express his consent to pay the higher rate of interest fixed. However, by the letter, dated 19.11.2016, the petitioner wanted extension of lease and wanted new rent has to be fixed in a reasonable rate. As the requests are not considered, this writ petition has been filed.



4.The learned counsel for the respondent would submit that it is agreeable for the respondent to consider the representation of the petitioner and to pass appropriate orders within a period of four weeks.

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5.Recording the submission made by the learned counsel for the respondent, the respondent is directed to consider the representation of the petitioner dated 19.11.2016 and to pass orders on merits and in accordance with law, within a period of four weeks, from the date of receipt of a copy of this order.

6.With the above direction, this writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar

To

The Commissioner,
Usilampatti Municipality,
Usilampatti, Madurai District.

+1 CC to M/s.R.MURALI, Advocate, SR No. 79075

SMN
PSM/RR-BS/01.02.2017/2P/3C

ORDER MADE IN
W.P (MD) No.22998 of 2016
and
W.M.P (MD) No.16475 of 2016
02.12.2016