

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.37059 of 2004

and

W.P.M.P.No.44486 of 2004

M/s.Lords Park Hotel,
Represented by its Managing Partner,
Mr.S.Mylsamy,
No.1000, Raja Street,
Coimbatore-1. ... Petitioner

Vs.

1. The State of Tami Nadu,
represented by the
Secretary to Government,
Revenue Department,
Fort St.George,
Chennai-600 009.
2. The Special Commissioner
and Commissioner for Land Administration,
Ezhilagam, Chepauk,
Chennai-600 005.
3. The Collector of Coimbatore,
Coimbatore. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus to direct the first respondent to pass orders on the representations dated 10.11.1997, 05.06.1998, 12.04.2000, 25.06.2003, 25.09.2003 and 08.01.2004 of the petitioner, expeditiously, as recommended by the third respondent, granting lease to the petitioner herein of 5676 Square Feet of land in T.S.No.2/1010, Ward No.2, Block No.18, Coimbatore Town, Coimbatore South Taluk, Coimbatore District for a period of two years from the date of order of the first respondent.

For Petitioner : Mr.V.Kalyanaraman
For Respondents : Mr.K.V.Dhanapalan, Spl.G.P.

ORDER

The petitioner has come forward with this Writ Petition to direct the first respondent to pass orders on the representations dated 10.11.1997, 05.06.1998, 12.04.2000, 25.06.2003, 25.09.2003 and 08.01.2004 of the petitioner, expeditiously, as recommended by the third respondent, granting lease to the petitioner herein of 5676 Square Feet of land in T.S.No.2/1010, Ward No.2, Block No.18, Coimbatore Town, Coimbatore South Taluk, Coimbatore District for a period of two years from the date of order of the first respondent.

2. The case of the petitioner is that even on 13.06.2006, G.O.(Ms).No.370, Revenue (Ne.Mu.2) Department, had been issued after the filing of this Writ Petition, and inspite of the same, the land in question has not been allotted for car parking. But from paragraph 11 of the said G.O., it is clear that the lease was granted for a period of three years in respect of car parking to the petitioner-Hotel and even assuming that it takes effect from the date of issuance of the said G.O., the period has already expired. Hence, no further adjudication is required in this Writ Petition. Accordingly, this Writ Petition is dismissed. The dismissal of the Writ Petition will not preclude the writ petitioner from making fresh application seeking permission for car park and if such application is filed, it is open for the respondents to consider the same in accordance with law. No costs. Consequently, W.P.M.P. is closed.

-s/d-

Assistant Registrar (CCC)

True Copy

Sub-Assistant Registrar

cs

Copy to

1. The Secretary to Government,
Revenue Department,
Fort St.George,
Chennai-600 009.

WEB COPY

2. The Special Commissioner
and Commissioner for Land Administration,
Ezhilagam, Chepauk,
Chennai-600 005.

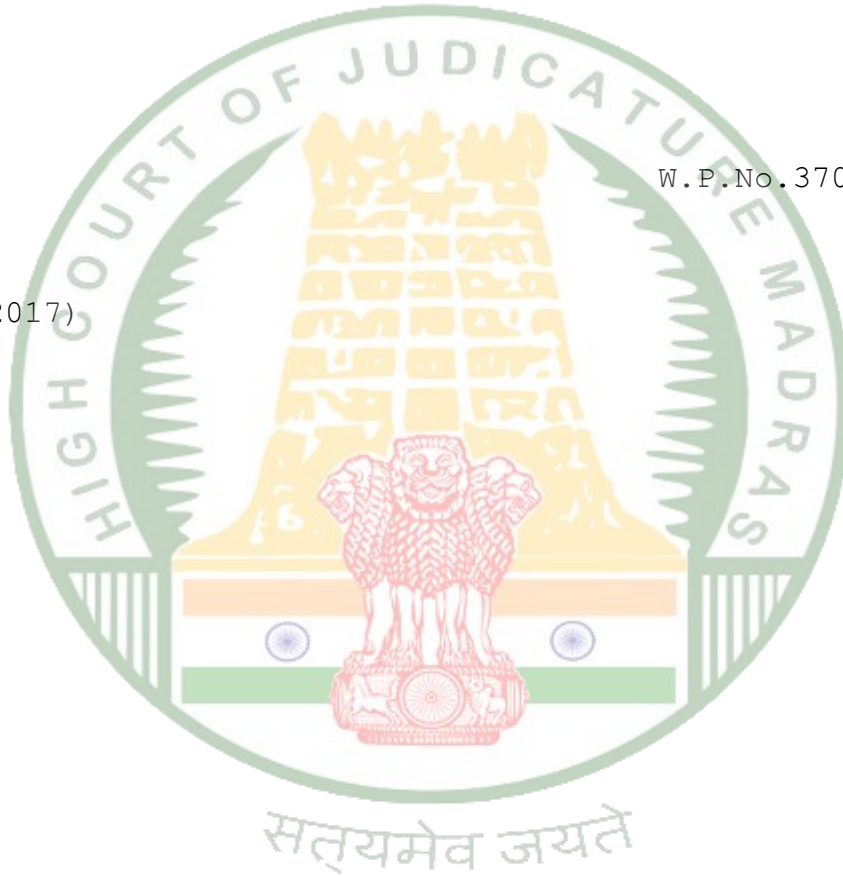
3. The Collector of Coimbatore,
Coimbatore.

+1 CC to Ms. Aiyar & Dolia, Advocate sr 48191

+1 CC to Govt. Pleader sr 49356.

W.P.No.37059 of 2004

SAI (CO)
sp(08/08/2017)



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