



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **28.08.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

WEB COPY

W.P(MD)Nos.16119 and 16120 of 2017

N.Sudakaran

.. Petitioner in
W.P(MD)No.16119 of 2017

Muthumani

.. Petitioner in
W.P(MD)No.16120 of 2017

Vs.

The Commissioner,
Madurai Corporation, Madurai.

.. Respondent in both W.Ps.

COMMON PRAYER: Writ Petitions are filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent to fix a proper rent to the open space shops allotted to the petitioners bearing Assessment Nos.6740195 and 6740196 at Central Market, Madurai, respectively, by considering the representations, dated 07.07.2017.

For Petitioner
in both W.Ps.

: Mr.A.Srinivasan

For Respondent
in both W.Ps.

: Mr.R.Murali

COMMON ORDER

These writ petitions are filed seeking a writ of Mandamus to direct the respondent to fix proper rent to the open space shops allotted to the petitioners bearing Assessment Nos.6740195 and 6740196 at Central Market, Madurai, respectively, by considering their representations dated 07.07.2017.

2.Mr.R.Murali, learned counsel takes notice for the respondent. By consent of both the parties, these writ petitions are taken up for hearing at the stage of admission itself.

3.Heard both sides.

4.The case of the petitioners is that they have been allotted with open space shops at Central Market, Madurai, under Assessment Nos.6740195 and 6740196 respectively, by the respondent Corporation, wherein they are doing vegetable business. The respondent has fixed the monthly rent at Rs.10,000/- per month, for vacant place of 20 x 20 square feet size. According to



the petitioners, the respondent has fixed rent for the constructed shops at the rate of Rs.4,000/- per month. Therefore, the petitioners made representations dated 07.07.2017, seeking to fix proper rent for their open space shops. Since the same were unattended so far, the petitioners are before this Court.

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5. Since the issue involved in both these writ petitions, is one and the same, they are taken up for hearing together and disposed of by this common order.

6. The learned counsel for the petitioners would submit that it would suffice, if the representations of the petitioners, dated 07.07.2017, are disposed of by the respondent as per law.

7. Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioners' claim, directs the respondent to consider the representations of the petitioners dated 07.07.2017 for fixation of proper rent in respect of the open space shops, at par with the other shop holders, having an extent of 20 x 20 square feet and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioners, within a period of six weeks from the date of receipt of a copy of this order.

8. The writ petitions are disposed of as above. No costs.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

To

The Commissioner,
Madurai Corporation, Madurai.

+1cc to M/S.R.MURALI, Advocate SR.No.74941

+2cc to M/S.A.SRINIVASAN, Advocate SR.No.75145

smn

MAS/MR-KKR/SAR2:07.09.2017:2P-5C

**COMMON ORDER MADE IN
W.P(MD) Nos.16119 and 16120 of 2017
28.08.2017**