



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) Nos.22203 to 22207 of 2017

P.Maharajan	... Petitioner in W.P(MD)No.22203/17
R.Balamurugan	... Petitioner in W.P(MD)No.22204/17
V.Annakodi	... Petitioner in W.P(MD)No.22205/17
P.Sivankalai	... Petitioner in W.P(MD)No.22206/17
P.Velmurugan	... Petitioner in W.P(MD)No.22207/17

-vs-

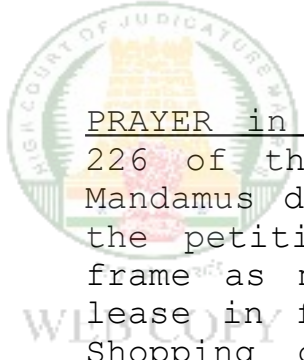
The Special Officer / Block Development Officer,
A.Kokkulam Village Panchayat,
Thirumangalam Union,
Madurai District.

... Respondent in all petitions

PRAYER in W.P(MD)No.22203/17: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to consider and pass orders on the petitioner's representation dated 12.09.2017 within a time frame as may be stipulated by this Hon'ble Court to renew the lease in favour of the petitioner insofar as the Shop No.13 in the Shopping complex, Checkkanoorani Bus Stand, Checkkanoorani is concerned.

PRAYER in W.P(MD)No.22204/17: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to consider and pass orders on the petitioner's representation dated 13.09.2017 within a time frame as may be stipulated by this Hon'ble Court to renew the lease in favour of the petitioner insofar as the Shop No.11 in the Shopping complex, Checkkanoorani Bus Stand, Checkkanoorani is concerned.

PRAYER in W.P(MD)No.22205/17: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to consider and pass orders on the petitioner's representation dated 14.09.2017 within a time frame as may be stipulated by this Hon'ble Court to renew the lease in favour of the petitioner insofar as the Shop No.5 in the Shopping complex, Checkkanoorani Bus Stand, Checkkanoorani is concerned.



PRAYER in W.P(MD)No.22206/17: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to consider and pass orders on the petitioner's representation dated 14.09.2017 within a time frame as may be stipulated by this Hon'ble Court to renew the lease in favour of the petitioner insofar as the toilet in the Shopping complex, Checkkanoorani Bus Stand, Checkkanoorani is concerned.

PRAYER in W.P(MD)No.22207/17: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to consider and pass orders on the petitioner's representation dated 12.09.2017 within a time frame as may be stipulated by this Hon'ble Court to renew the lease in favour of the petitioner insofar as the Shop No.6 in the Shopping complex, Checkkanoorani Bus Stand, Checkkanoorani is concerned.

For Petitioners : Mr.R.Pon Karthikeyan
 For Respondent : Mr.G.Muthukannan,
 Government Advocate
 (In all cases)

C O M M O N O R D E R

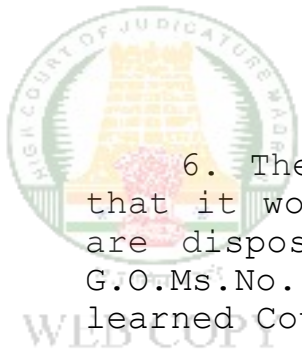
The issue involved in all these writ petitions is one and the same and therefore, all these matters are taken up together for final disposal by way of this common order.

2. By consent, these writ petitions are taken for final disposal at the stage of admission itself.

3. Mr.G.Muthukannan, learned Counsel takes notice for the respondent in all the cases.

4. The petitioners, who are admittedly the lease holders of the respondent Panchayat right from the year 2014, are before this Court, contending that their lease period is at the verge and in order to extend the lease period, they had submitted several representations, individually and because of the inaction on the part of the authorities, they are before this Court, apprehending that they are going to be vacated from the respective shops and toilet, by the authorities.

5. It is the specific contention of the learned Counsel for the petitioners that when the Government Order in G.O.Ms.No.92 dated 03.07.2007, provides for extension of lease period, to the lessees, upto nine years, by re-fixing the rent amount once in three years, the act of the authorities in keeping the matter pending is not justifiable.



6. The learned Counsel for the petitioners further submitted that it would suffice, if the representations of the petitioners are disposed of, by the authority concerned, in the light of G.O.Ms.No.92, for which, there is no serious objection from the learned Counsel on the other side.

7. Under such circumstances, these writ petitions are disposed of, directing the respondent to consider the representations of the petitioners dated 12.09.2017, 13.09.2017 & 14.09.2017, respectively and pass appropriate orders, with regard to extension of lease by fixing or re-fixing the rent, as the case may be, on merits and in line with G.O.Ms.No.92 dated 03.07.2007, after affording due opportunity of hearing to the petitioners and all the other interested parties, if any, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To:

The Special Officer / Block Development Officer,
A.Kokkulam Village Panchayat,
Thirumangalam Union,
Madurai District.

W.P(MD) Nos.22203 to 22207 of 2017

GK
JM/GT/SAR 4/28.12.2017/3P/2C