

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 29.08.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P (MD) No.23495 of 2016****and****W.M.P (MD) No.16860 of 2016**

Chokkan Urani Street Municipal Shops Association.
Through its President,
Rengasamy Naicker,
Kovilpatti.
Thoothukudi District.

... Petitioner

Vs.

The Commissioner & Special Officer,
Kovilpatti Municipality,
Kovilpatti ,
Thoothukudi District.
Respondent

...

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the respondent dated 15.11.2016 in Na.Ka.No.5960/2016/A3 and quash the same and further forbearing the respondent from interfering in the petitioner's members lease hold right of shop No.1 to 18 situated at Chokkan Urani Street, Kovilpatti, Thoothukudi District.

For Petitioner : Mr.T.Selvan

For Respondent : Mr.P.Srinivas

ORDER

This writ petition has been filed, seeking to quash the impugned order dated 15.11.2016 passed by the respondent, by which, the rent has been enhanced with effect from 01.11.2016 with a direction to pay 12 months' rent as caution deposit. The petitioner also sought a direction to forbear the respondent from interfering with the lease hold right of shop Nos.1 to 18 situated at Chokkan Urani Street, Kovilpatti, Thoothukudi District in respect of the members of the petitioner Association.



2. When the matter is taken up for hearing, the learned counsel for the petitioner Association as well as learned counsel for the respondent has submitted that the request of the petitioner in respect of fixation of fair rent under Tamil Nadu Buildings (Lease and Rent Control) Act, by adopting due method of recourse, has been duly accepted by the Municipality, pursuant to which, the members of the Association also started paying the rent periodically.

3. In view of the above submissions, this Court is of the view that the petition has become infructuous. Accordingly, this writ petition is disposed of as having become infructuous. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar

To:

The Commissioner & Special Officer,
Kovilpatti Municipality,
Kovilpatti ,
Thoothukudi District.

+1 cc to Mr.T.Selvan , Advocate in SR.No. 75438

rm/ar

AE/KP/SAR1/07.09.2017/2P/3C

W.P(MD)No.23495 of 2016

29.08.2017