

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 40102 of 2012

ORDER:

1) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the proceedings of the first respondent in issuing letter No.A2/ 553/ 2012-13 dated 26.10.2012 and consequential proceedings No.A2/ 553/ 2012-13, dated 05.12.2012, as illegal, arbitrary and contrary to law.

2) By an order, dated 28.12.2012, this Court while admitting the writ petition passed the following interim order.

“Subject to each of the petitioners paying a sum of Rs.1,800/- per month, which represents a three-fold increase of the existing rent of Rs.600/-, they shall be permitted to continue to occupy the shop rooms under their possession and carry on their business. Any default committed by them in making the monthly rent for two successive months, will enable the respondents to take such necessary steps to give effect to the impugned order. The arrears may be paid before the end of 31.01.2013. The rents for each month, commencing from December, 2012, shall be paid on or before 8th of every succeeding month, but not otherwise.”

3) Today, when the matter is taken up for hearing, learned Standing Counsel for the respondents would submit that the respondents have every right to enhance the rent from Rs.1800/- and also to evict the petitioners from the said premises, but however, submits that at present the respondent authorities are

not taking any steps for eviction of the petitioners from the premises.

4) Having regard to the submission made, the writ petition is disposed of, giving liberty to the respondents to take steps in accordance with law either with regard to auction of the premises or enhancement of the rent. Till such time, the petitioners shall continue to be in possession of the premises on payment of Rs.1800/- per month towards rent.

5) Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

28.02.2017
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JUSTICE C. PRAVEEN KUMAR