

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.10375 of 2018

and

W.M.P.No.12346 of 2018

T.V.Mani

.. Petitioner

.. Vs ..

The Executive Officer,  
Arulmigu Sinthamaneeswarar Thirukovil,  
Karungali Village,  
Ponneri Taluk - 601 205.

.. Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent herein to extend the lease period for further period of three years from the date of getting license by the respondent herein from appropriate authority to the petitioner for running shrimp farms with the same terms and conditions applicable to the earlier auctioned lease made on 05.06.2015 in respect of the land measuring an extent of 38.05 Acres comprised in Survey No.40 situated at Karungali Village (Epranpuram Village), Ponneri Taluk, Thiruvallur District.

For Petitioner : Mr.K.M.Venugopal

For Respondent : Mr.M.Maharaja,  
Special Government Pleader

ORDER

This writ petition has been filed praying for the issuance of a Writ of Mandamus directing the respondent to extend the lease period for further period of three years from the date of getting license by the respondent herein from appropriate authority to the petitioner for running shrimp farms with the same terms and conditions applicable to the earlier auctioned lease made on 05.06.2015 in respect of the land measuring an extent of 38.05 Acres comprised in Survey No.40 situated at Karungali Village (Epranpuram Village), Ponneri Taluk, Thiruvallur District.

2. This Court is unable to entertain the writ petition. The reason is that when the petitioner is granted lease for a period of three years commencing from 01.07.2015 to 30.06.2018, the petitioner having paid the first year lease amount of Rs.1,30,000/-, he has repeatedly committed default in the succeeding years 2016-2018. The demand notice issued by the respondent dated 11.11.2017 clearly shows that when he

was liable to pay a sum of Rs.1,49,500/-, on 04.02.2017 he has paid only a sum of Rs.50,000/- and the balance amount has not been paid and the further amount of Rs.1,71,925/- payable by the petitioner also has not been paid. As a result of which, a sum of Rs.2,71,425/- has been shown as arrears of lease amount till date. The above payment pattern shows that the petitioner is a defaulter.

3. In that view of the matter, this Writ Petition fails and the same is dismissed. No costs. The connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

Jrl  
To

The Executive Officer,  
Arulmigu Sinthamaneeswarar Thirukovil,  
Karungali Village,  
Ponneri Taluk - 601 205.

+1cc to Mr.K.M.Venugopal, Advocate SR.No.30967

SJ(CO)  
sm:15.5.2018

W.P. No.10375 of 2018

सत्यमेव जयते

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