

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :05.12.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.13719 of 2004

and

W.P.M.P.Nos.16114 & 43523 of 2004

S.Christuraj

.. Petitioner

vs

1.Balamore Village Panchayat,
Rep.by its Secretary,
Maramalai,
Kanyakumari District.

2.The President,
Balamore Village Panchayat,
Maramalai Kanyakumari District.

3.Block Development officer,
Thiruvattur,
Kanyakumari District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the order of the 2nd respondent nil dated and quash the same and consequently direct the respondents to renew the license of the Shop in Survey No.580/1A1 Chroolacode Village, Balamore Village Panchayat, Kanyakumari District in compliance of G.O.Ms.No.147 dated 30.12.2000.

For Petitioner :Mr.C.K.M.Appaji

For Respondents :M/s.R.Janaki, Additional Government Pleader
for R1 & R2

Mr.S.Mohanasundarajan for R3

O R D E R

The notice issued by the President, Balamore Panchayat to the writ petitioner is under challenge in this writ petition.

2.The learned counsel for the petitioner states that the respondents allotted a Shop under 'Self Welfare Scheme' through the resolution passed by the Balamore Village Panchayat Council on 09.12.2000. The petitioner had been permitted to hold the lease for a period of three years. The writ petitioner was conducting a provisional store in the said Shop and was paying the rent to the respondent Panchayat.

3.The grievances of the writ petitioner is that the lease period is to be extended on account of the fact that he invested a huge amount for the purpose of developing the grocery shop in the premises. The writ petitioner further states that he is entitled for extension of lease period as per G.O.Ms.No.147, Department of Municipal Administration and Water Supply Department.

4.However, on a perusal of the order impugned, this Court is of an opinion that the lease period expired in May 2004 and the 2nd respondent issued the notice, stating that the petitioner should vacate the shop on or before 31.05.2004. In view of the fact that the period of lease had already been expired long back, the contentions raised in the present writ petition deserves no further consideration. If at all, any grievances exists for the writ petitioner, it is left open to him to approach the competent authorities for redressal.

5.Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

सत्यमेव जयते Sub Assistant Registrar

kak

To

1.The Secretary,
Balamore Village Panchayat,
Maramalai,
Kanyakumari District.

2.The President,
Balamore Village Panchayat,
Maramalai Kanyakumari District.

3.Block Development officer,
Thiruvattur,
Kanyakumari District.

+1 cc to Mr.S.Gomathinayagam, Advocate Sr.No.83477
+1 cc to The Special Government Pleader, Sr.No.84426

W.P.No.13719 of 2004

SVN(CO)
CSL/27.12.2018



WEB COPY