

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.11.2018

CORAM

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.27897 of 2018
and WMP No.32447 of 2018

N.Backyalakshmi

.. Petitioner

Vs.

1. The Managing Director,
Tamilnadu Tourism Development Corporation,
Waalajah Road, Chennai 600 002.
 2. The General Manager,
Tamilnadu Tourism Development Corporation,
Waalajah Road, Chennai 600 002.
- .. Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondents to extend the lease of the Unit granted vide., Franchisee Agreement dated 13.06.2008 till 31.03.2019.

For Petitioner : Mr.M.Purushothaman

For Respondents : Mr.Bala Ramesh,
Special Govt. Pleader (F)

ORDER

The petitioner has filed this Writ Petition seeking for a direction to the respondents to extent the lease of the Unit granted by the Franchisee Agreement dated 13.06.2008 till 31.03.2019.

2. Heard Mr.M.Purushothaman, learned counsel appearing for the petitioner and Mr.Bala Ramesh, learned Special Government Pleader appearing for the respondents.

3. The petitioner had entered into a Franchisee agreement dated 13.06.2008. The period of lease was stated to commence from 24.07.2008 as per the said agreement and the license was

valid for the period of ten years. Admittedly, it came to an end on 23.07.2018. It appears that the petitioner had also approached the respondents seeking extension of license for few months. However on 11.10.2018, the first respondent has sent a communication vide the proceeding No.2993/FH/2007, stating that the request of the petitioner dated 18.07.2018 for extension of lease period for five months i.e., from 24.10.2018 to 31.03.2019 could not be admitted due to administrative reasons and the petitioner was asked to vacate the premises. Thereafter they also called upon the petitioner/ Franchisee to handover the property on 23.10.2018. Having already rejected the request made by the petitioner, the respondents cannot be compelled to consider the same again.

4. With the above directions, this writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

jv

To

1. The Managing Director,
Tamilnadu Tourism Development Corporation,
Waalajah Road, Chennai 600 002.
2. The General Manager,
Tamilnadu Tourism Development Corporation,
Waalajah Road, Chennai 600 002.

+1 cc to Mr.R.Balaramesh, Advocate Sr.No.79872

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SJ(CO)
CSL/17.12.2018