



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.04.2018

CORAM:

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THE HONOURABLE Mr.JUSTICE M.S.RAMESH

W.P. (MD) Nos.9303 to 9305 of 2018

and

W.M.P. (MD) Nos.8611 to 8613 of 2018

P.Palaniyappan : Petitioner in W.P. (MD) No.9303 of 2018
RM.Subramanian : Petitioner in W.P. (MD) No.9304 of 2018
Dhanalakshmi : Petitioner in W.P. (MD) No.9305 of 2018

Vs.

1. The Inspector of Town Panchayats,
Sivagangai, Sivagangai District.
2. The Executive Officer,
Nerkuppai Town Panchayat,
Thiruppathur Taluk,
Sivagangai District. : Respondents in all W.Ps.

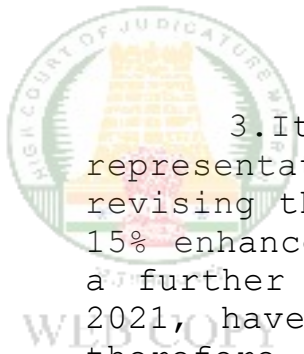
COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 2nd respondent to consider the petitioners' representations dated 27.12.2017 to renew the lease may be extended by revising the rent on the basis of the present market value at the rate of 15% enhancement for the Shop Nos.4, 8 and 3 for a further period of three years from April, 2018 to March 2021 according to law within stipulated time limit.

For Petitioners : Mr.S.Muthalraj
in all W.Ps.
For Respondents : Mr.Gunaseelan Muthiah
in all W.Ps. Additional Government Pleader.

C O M M O N O R D E R

Heard Mr.Gunaseelan Muthaiah, learned Additional Government Pleader, who takes notice on behalf of the respondents.

2.By consent of both parties, these writ petitions are taken up for final disposal at the stage of admission itself.



3.It is the grievance of the petitioners that their representations dated 27.12.2017, seeking to renew the lease by revising the rent based on the present market value at the rate of 15% enhancement in respect of Shop Nos.4, 8 & 3 respectively, for a further period of three years ie., from April, 2018 to March 2021, have not been considered by the respondents till date and therefore, they have filed the present Writ petitions.

4.This Court has not expressed any of its view with regard to the merits of the representations made by the petitioners. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or other. Non consideration of the same would amount to dereliction of their ordinary duties of their office and as such, this Court would be justified in invoking its powers under Article 226 of the Constitution of India to direct them to consider the petitioners' representations within a stipulated time.

5.In view of the limited prayer sought for in these writ petitions, there shall be a direction to the second respondent to consider the petitioners' representations dated 27.12.2017 on its own merits and take further action in accordance with law as expeditiously as possible.

6.With the above direction, these writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

1. The Inspector of Town Panchayats,
Sivagangai, Sivagangai District.

2. The Executive Officer,
Nerkuppai Town Panchayat,
Thiruppathur Taluk, Sivagangai District.

+3. CC to Mr.Na.Palaniyandi, Advocate SR.Nos.63122,63122 & 63124

W.P. (MD) Nos.9303 to 9305 of 2018
24.04.2018