

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.11237 of 2017

ORDER:

The petitioners are lessees of shops maintained by the 2nd respondent-Municipality. They were inducted pursuant to the auction conducted for leasing out the shops. They were granted licence for the period from 01.04.2014 to 31.03.2017 and there is a condition in the agreement that after completion of lease period, they can be continued on payment of 33.1/3% of enhanced rent for further period of three years. The petitioners are continuing in the shops and they filed representation on 10.03.2017 stating that they are ready to pay the enhanced rent of 33.1/3% on the existing rent. Without considering the said representation when the respondents are trying to dispossess the petitioners from the subject shops, the present Writ Petition is filed.

2. Though this Court granted interim direction for a period of one week on 28.03.2017 and extended by another two weeks and the interim order expired. However, it is stated by learned counsel for the petitioners that the petitioners are being continued in the premises and they have been paying rent also. No immediate requirement was stated by the respondents in respect of the shops in occupation of the petitioners.

3. In the circumstances, the Writ Petition is disposed of directing the 2nd respondent to consider the representation of the petitioner, dated 10.03.2017, more particularly in the light of the clause of renewal of continuance of lease of petitioners on payment of enhanced rent as per the Rules.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO, J

APRIL 16, 2018

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Date: 16.04.2018

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