



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :02.07.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.17666 to 17668 of 2004
and WPMP.Nos.21016 and 21018 of 2004

1. M. S. Jainulabdeen
S/o. Sulaiman Rowther
Shop No.7, Situate Outside,
Anna Bus Stand,
Ramanathapuram.

...Petitioner in W.P.Nos.17666
and 17667 of 2004

2. Abdul Munaaf
S/o. Abdul Wahab
Shop No.1, Adam Jewellery,
Municipal Southern Side,
Commercial Shop,
Salai Street,
Ramanathapuram.

...Petitioner in W.P.No.17668 of 2004

vs

1. The Commissioner,
Ramanathapuram Municipality,
Ramanathapuram.

2. The Vice Chairman and
Acting Chariman,
Ramanathapuram Municipality,
Ramanathapuram.

.. Respondents in all Wps.

Prayer in WP.Nos.17666 and 17667 of 2004 : Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ or order or direction in the nature of certiorarified mandamus calling for the records pertaining to the resolution No.614 dated 26.05.2004 passed by the second respondent and quash the same in so far as it is concerned with the writ petitioners Shop No.3 and 7 Situate outside, Anna Bus Stand, Ramanathapuram which was leased out to the writ petitioner and



direct the first respondent to renew the lease in favour of the petitioner for a further period of 3 years on accepting the enhanced lease amount at 15 % over and above the existing lease amount in respect of the Shop No.3 and 7 Situate outside, Anna Bus Stand, Ramanathapuram.

Prayer in WP.No.17668 of 2004: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ or order or direction in the nature of certiorarified mandamus calling for the records pertaining to the resolution No.614 dated 26.05.2004 passed by the second respondent and quash the same in so far as it is concerned with the writ petitioners Shop No.1, Adam Jewellery of Southern Side Commercial Shop, Salai Street, Ramanathapuram which was leased out to the writ petitioner and direct the first respondent to renew the lease in favour of the petitioner for a further period of 3 years on accepting the enhanced lease amount at 15 % over and above the existing lease amount in respect of the Shop No.1, Adam Jewellery, Southern Side Commercial Shop, Salai Street, Ramanathapuram.

For Petitioners : Mr. R. Prasanan
For Respondents : Mrs. K. Bhuvaneswari

C O M M O N O R D E R

Learned counsel for the petitioners has made an endorsement as follows:

"Since the lease period was over, there was an order in the connected Writ Petitions 18014/2004 to 18017 /04 by his Lordship. Justice Vaidayanathan. The same order stating that "The prayer became infructuous and the petitioner is at liberty to challenge the same if any cause of action survives" may be passed"

2. In view of the endorsement made by the learned counsel for the petitioners, liberty is granted to the petitioners to work out the remedy in the manner known to law. Hence, Writ Petitions are dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petitions are closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar



To

1. The Commissioner,
Ramanathapuram Municipality,
Ramanathapuram.

2. The Vice Chairman and
Acting Chariman,
Ramanathapuram Municipality,
Ramanathapuram.

+1 CC to Mr.C.R. Prasanan, Advocate sr 55250.

+1 CC to M/s.K. Bhuvaneswari, Advocate sr 55516.

W.P.Nos.17666 to 17668 of 2004
and WPMP.Nos.21016 and 21018 of 2004

GP(CO)
SP(08/08/2019)