

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.5201 of 2019
and WMP.5906 of 2019

M.Sakthivel

..Petitioner

Vs

Block Development Officer
Thalaivasal Panchayat Union
Attur Taluk
Salem District

..Respondent

Prayer:- This Writ Petition is filed, under the Article 226 of Constitution of India, to issue a writ of Mandamus, to direct the respondent to grant extension of renewal of lease to the Petitioner with respect to Thalaivasal Daily Vegetable Market situated at Thalaivasal Post, Attur Taluk, Salem District for the year 2019-2020 in view of Section 21.5.23 of the Tamil Nadu Panchayat (Procedure for conducting Public Auction of Leases and sales in Panchayat) Rules, 2001 and based on the Petitioner's representation dated 26.12.2018.

For Petitioner : Mr.B.Sagadevan

For Respondent : Mrs.M.Lalitha, Government Advocate

ORDER

By consent of both sides, this Writ Petition is taken up for final disposal.

2 This Writ Petition is filed seeking to direct the respondent to grant extension of renewal of lease to the Petitioner with respect to Thalaivasal Daily Vegetable Market situated at Thalaivasal Post, Attur Taluk, Salem District for the year 2019-2020 in view of Section 21.5.23 of the Tamil Nadu Panchayat (Procedure for conduction Public Auction of Leases and sales in Panchayat) Rules, 2001 and based on the Petitioner's representation dated 26.12.2018.

3. When the matter came up before this court, the learned counsel appearing for the Respondent-Panchayat submitted that the Petitioner's renewal application will be considered for the

year 2019-2020 on payment of additional enhanced lease amount along with other charges as fixed by the Panchayat.

4. The learned counsel for the Petitioner also produced an Undertaking affidavit filed by the Petitioner wherein, the Petitioner undertakes to comply the conditions as mentioned in the respondent's proceedings in Na.Ka.No.813/2018/T2 dated 25.02.2019.

5. The learned counsel for the Respondent submits that the Petitioner shall resubmit the representation along with renewal application and on receipt of such application, the same shall be considered in accordance with law.

6. In view of the above submission, the Petitioner is directed to resubmit the application for renewal within three weeks from the date of receipt of a copy of this order and on receipt of such application, the respondent shall consider the same and pass appropriate orders within four weeks thereafter.

7. The Writ Petition is disposed of with the above direction. No costs. Consequently, connected MP is closed.

Sd/-

Assistant Registrar (CS VII)

//True Copy//

Sub Assistant Registrar

nvsri

To

Block Development Officer
Thalaivasal Panchayat Union
Attur Taluk
Salem District

+1cc to Mr.R.Sagadevan, Advocate, S.R.No.23777
+1cc to Mr.M.Lalitha, Advocate, S.R.No.23491

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WP.5201 of 2019

PP (CO)

RRS (22/04/2019)