



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2019

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P (MD)No.25192 of 2019
and
WMP (MD)No.21773 of 2019

Pavar Singam

... Petitioner

Vs.

The Executive Officer,
Pallathur Town Panchayat,
Sivagangai District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order of the respondent dated 29.10.2019 in Na.Ka.No.105/2019/A1 quash the same and consequently direct the respondent to renew the license in Shop No.7, Town Panchayat bus stand (west) Pallathur. Sivagangai by receiving the enhanced fee as per G.O.Ms.No.92 dated 3.7.2007.

For Petitioner : Mr.J.Anandkumar

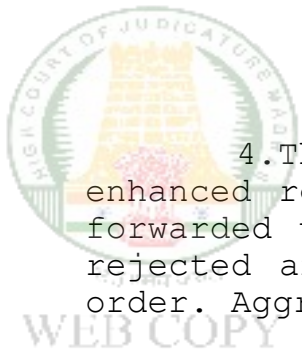
For Respondent : Mr.M.Rajarajan
Government Advocate

ORDER

This writ petition is filed challenging the order of the respondent dated 29.10.2019 in Na.Ka.No.105/2019/A1, refusing to extend the lease in favour of the petitioner.

2.The challenge is made based on G.O.Ms.No.92, Municipal Administration and Drinking Water Supply Department, dated 03.07.2007. As per the said Government Order, the petitioner is entitled to renewal of licence with respect to the shop, since licence was commenced from the year 2013.

3.It is an admitted fact that the shop was allotted to the petitioner in the year 2013. Hence, applying G.O.Ms.No.92 dated 03.07.2007, the petitioner is entitled for nine years extension, which would end only in the year 2022, subject to payment of the enhanced rent.



4.The petitioner has expressed his willingness to pay the enhanced rent as per the said Government Order and he had already forwarded the enhanced amount by way of Demand Draft. The same was rejected and extension of lease was also rejected by the impugned order. Aggrieved by the same, the petitioner is before this Court.

5.Pending writ petition, upon notice, the learned Government Advocate appearing for the respondent has produced the proceedings of the respondent/Executive Officer, Pallathur Town Panchayat, Sivagangai District in Na.Ka.No.105/2019, dated 28.11.2019, wherein it is specifically stated that the lease of the petitioner has been extended upto 2021-2022, subject to the conditions mentioned in G.O.Ms.No.92 dated 03.07.2007.

6.Recording the same, this writ petition is disposed of. No costs. Consequently, WMP(MD)No.21773 of 2019 is closed.

Sd/-

Assistant Registrar (Writs)

// True Copy //

Sub Assistant Registrar(CS)

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To
The Executive Officer,
Pallathur Town Panchayat,
Sivagangai District.

+1 CC to M/s.J.ANANDKUMAR, Advocate (SR-104570[F] dated
11/12/2019)

W.P (MD) No.25192 of 2019
11.12.2019

JMN(31.12.2019) 2P : 3C