



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:12.02.2020

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P (MD)No.2360 of 2020

Dr.S.Mathanagopal

... Petitioner

Vs.

1.The Government of Tamil Nadu,
represented by its Principal Secretary,
Transport Department,
St.George Fort,
Chennai.

2.The Transport Commissioner,
Transport Department,
Ezhilagam, Chepauk,
Chennai - 600 005.

3.The Regional Transport Officer,
Regional Transport Office,
Palani,
Dindigul District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus directing the respondents to pay the monthly rent at the rate of Rs.34,142/- per month for the building occupied by the third respondent at First and Second Floor at Survey No.143/23,Palani-Dindigul Main Road, Thiruvalluvar Nagar, Sivagiripatti, Palani, Dindigul District from 1.8.2017 on the basis of the representation dated 9.12.2019 given by the Petitioner, within the time stipulated by this Court.

For Petitioner : Mr.B.Rajesh Saravanan

For Respondents : Mr.Aayiram K.Selvakumar
Addl.Govt.Pleader

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the respondents to pay the monthly rent at the rate of Rs.34,142/- per month for the building occupied by the third respondent/The Regional Transport Officer, Palani, Dindigul District, for the above mentioned premises.



2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.It is stated now that from the date of initial occupation of the premises in question i.e., from 1.8.2017, the rent was not paid by the third respondent to the Petitioner. Admittedly, the rent was fixed by the Public Works Department and when the same was sent to the Government for approval, it was rejected stating that the rent fixed was very high. Unfortunately, though the Government had rejected the rent fixed by the Public Works Department, it had failed to fix what is the rent to be fixed for the said premises occupied by the third respondent. It had taken more than thirty months time for the Government to decide and fix the rent that may be payable to the landlord/the Petitioner herein, for the premises in which the third respondent is squatting for all these days without paying any money as rent.

4.After some deliberations, the learned Additional Government Pleader appearing for the respondents seeks one month time to get the rent fixed and paid to the Petitioner.

5.Mr.V.Kannan, the Regional Transport Officer, Palani, Dindigul District also present before this Court and undertakes to pay the arrears of rent to the Petitioner within month's time.

6.In view of the above undertaking, the third respondent is directed to pay the entire arrears of rent from 1.8.2017 to till date within a period of one month from the date of receipt of a copy of this order. It is made clear that if the rent that may be fixed either by the Public Works Department or by the Government is not paid from 1.8.2017 within one month time, as stated supra, the said amount shall carry interest at the rate of 12% p.a from the date of initial occupation of the premises in question I.e., 1.8.2017 till the payment is made in its entirety.

7.With the above directions, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



1.The Principal Secretary, Government of Tamil Nadu,
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St.George Fort,
Chennai.

2.The Transport Commissioner,
Transport Department,
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3.The Regional Transport Officer,
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+1 CC to SPL.GP (SR-6315[F] dated 14/02/2020)

ORDER MADE IN
W.P (MD) No.2360 of 2020
12.02.2020

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