



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.10.2020

CORAM

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

WEB COPY

W.P.(MD)No.11195 of 2020

and

W.M.P.(MD)No.9776 of 2020

- 1.K.Suganya
- 2.S.Kavitha
- 3.A.Sathanandam
- 4.M.Marthandan
- 5.R.Tamilselvam
- 6.A.Arumugam
- 7.A.Manikandan

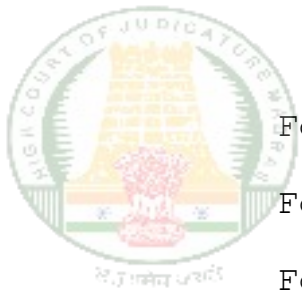
...Petitioners

-Vs-

- 1.The Director,
Directorate of Rural Development and
Panchayat Raj, Panagal Building,
Saidapet, Chennai-600 015.
- 2.The District Collector,
Thanjavur District, Thanjavur.
- 3.The Assistant Director (Panchayats),
Collectorate Campus, Thanjavur.
- 4.The Chairman,
Orathanadu Panchayat Union,
Orathanadu, Thanjavur District.
- 5.The Block Development Officer,
Orathanadu Panchayat Union,
Orathanadu.
- 6.The President,
Vadasery Panchayat,
Vadasery, Orathanadu,
Thanjavur District.

...Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents 3 to 6 to extend the lease in respect of the Shop Nos.1 to 7 constructed in Vadaseri Bus Stand Complex, Vadaseri, Orathanadu, Thanjavur District for a further period of three years allotted to the petitioners by virtue of the proceedings of the 5th respondent in Na.Ka.No.1950/2016/A2, dated 01.10.2019.



For Petitioners : Mr.T.Mohan,
For Mr.M.P.Senthil
For R1 to R5 : Mr.M.Rajarajan,
Additional Government Pleader.
For R6 : Mr.R.S.T.Ravanan @
Ramasubramanian

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ORDER

Heard the learned counsel on either side.

2.The writ petitioners were granted licence to occupy the petition mentioned shops in Vadaseri Bus Stand Complex, Vadaseri, vide order dated 01.10.2019. These shops are now sought to be brought to public auction. Aggrieved by the said move, the writ petitioners have filed this Writ Petition.

3.The learned counsel appearing for the petitioners submitted that though the petitioners were allotted the shops in question, on account of Covid-19 outbreak, for full six months, the shops remained closed. He also pointed out that if they are allowed to occupy the shops for six more months on payment of the agreed rent, at the end of the sixth month, shops can be let out through public auction process.

4.The public auction can be conducted a month before the expiry of the six months period. The petitioners will also take part in the said auction. Based on the outcome of the auction, if the petitioners turn out to be successful bidders, they can continue to occupy the shops subject to the revised terms. If they are not successful in the proposed public auction, they would peacefully hand over the possession of the shops to the 6th respondent Panchayat. The petitioners have given an undertaking through their learned counsel that they would not entangle the local body in any further litigation. In fact, the 6th respondent is also agreeable to the aforesaid course of auction suggested by the writ petitioners.

5.This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Director,
Directorate of Rural Development and
Panchayat Raj, Panagal Building,
Saidapet, Chennai-600 015.

2.The District Collector,
Thanjavur District, Thanjavur.

3.The Assistant Director (Panchayats),
Collectorate Campus, Thanjavur.

4.The Chairman,
Orathanadu Panchayat Union,
Orathanadu, Thanjavur District.

5.The Block Development Officer,
Orathanadu Panchayat Union,
Orathanadu.

+1 CC to M/s.M.P. SENTHIL, Advocate (SR-18908[F] dated 05/10/2020)

+1 CC to M/s.GP (SR-19162[F] dated 06/10/2020)

Order made in
W.P. (MD) No.11195 of 2020
01.10.2020

SS (CO)
AP (08/10/2020) 3P 8C