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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.09.2021

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P. No.18866 of 2021

Sivagami

.. Petitioner

Vs

1.The Commissioner,
The Greater Chennai Corporation
Chennai 600 003.

2.The Zonal Officer,
Zone-13 Greater Chennai Corporation
No.115, Dr.Muthulakshmi Road
Adyar
Chennai.

..Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the 2nd respondent to grant extension of time for payment arrears of rent in Shop No.12, Ground Floor, Corporation Commercial Complex, 3rd Avenue, Indira Nagar, Adyar, Chennai 600 020 pursuant to the petitioner representation dated 16.08.2021.

For Petitioner : Mr.P.Pandiyaraj
For Respondents : Ms.P.T.Rama Devi
standing counsel

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the second respondent to consider the representation made by the petitioner on 16.08.2021, wherein, the petitioner has requested for extension of time for payment of the arrears of rent for the shop that was leased in his favour.

2.The case of the petitioner is that she was inducted as a tenant by the respondent in the year 2010 and the lease continues by enhancement of rent from time to time. According to the petitioner, the second respondent enhanced the rent in the year 2017 from Rs.11,637/- to Rs.45,155/-. This enhancement became a subject matter of challenge before this Court in W.P.No.15725 of 2017 and this Court by order dated 11.01.2018 dismissed the writ petition and upheld the enhancement of rent made by the second respondent.



3. The further case of the petitioner is that there is arrears of nearly Rs.14,20,581/- by taking into consideration the enhanced rent and out of the same, the petitioner has paid only a sum of Rs.5,33,830/-. It is stated that due to the lock down that has been going on from March '2020 onwards, the petitioner was not able to run the business and as a result of the same, there was financial scarcity and the petitioner was not able to pay the balance of arrears of rent.

4. The petitioner therefore made a representation to the respondents on 16.08.2021 seeking for extension of time for payment of arrears of rent. Since the same was not considered, the present writ petition has been filed seeking for appropriate directions.

5. Heard the learned counsel for the petitioner and the learned standing counsel for the respondents.

6. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the second respondent to take a decision on the representation made by the petitioner on 16.08.2021 and convey the same to the petitioner within a period of four weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the second respondent along with a copy of the representation dated 16.08.2021 and also a copy of this order.

7. This writ petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar (CS-IV)

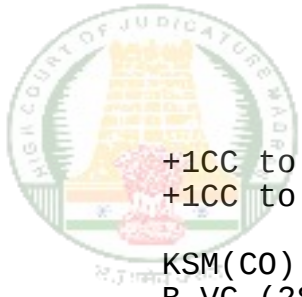
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Sub Assistant Registrar

RR

To

1. The Commissioner,
The Greater Chennai Corporation
Chennai 600 003.
2. The Zonal Officer,
Zone-13 Greater Chennai Corporation
No.115, Dr.Muthulakshmi Road
Adyar
Chennai.



+1CC to M/s.P.Pandiyaraj, Advocate, SR.No. 45328
+1CC to M/s.P.T.Ramadevi, Advocate, SR.No. 45587

W.P.No.18866 of 2021

KSM(CO)

B.VC (28/09/2021)

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