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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2021

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.17582 OF 2014

AND

M.P.NOS.1 AND 2 OF 2014

Mr.S.J.G.N.Dev

... Petitioner

Vs

1. The Union of India,  
Rep. by its Secretary,  
Ministry of Commerce and Industry,  
Udyog Bhavan, New Delhi-110 107.
2. The Deputy Secretary,  
Ministry of Commerce and Industry,  
Udyog Bhavan, New Delhi-110 107.
3. The Salt Commissioner,  
Office of the Salt Commissioner,  
Lavan Bhawan,  
2-A, Lavan Marg Jhalana Doongri,  
Jaipur-302 004.
4. The Deputy Salt Commissioner,  
Office of the Deputy Salt Commissioner,  
Shastri Bhavan, 26, Haddows Road,  
Chennai-600 006.

...Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, praying to issue a writ of certiorari calling for the records of the proceedings of the notification dated 09.10.2013 bearing description S0 2301 issued by the 2nd respondent and to quash the same as arbitrary, illegal and wholly without jurisdiction.

For Petitioner : Mrs.Mitraneshaa  
for Mr.V.Raghavachari

For Respondents : Mr.A.Murugan  
1 to 4 Central Government Counsel



## O R D E R

The relief sought for in the present writ petition is to quash the proceedings of the notification dated 09.10.2019 bearing description S0 2301 issued by the 2nd respondent.

2. The learned counsel for the petitioner made a submission that on expiry of the lease period, the petitioner as of now is not in possession of the property belonging to the Central Government, earlier leased out by the 3rd respondent.

3. The order impugned in the present writ petition is the notification issued by the Ministry of Commerce and Industry in the Gazette of India, and the resolution bearing S.O.2301, reads as follows:

"The policy on the renewal of leases of Central Government land under the administrative control of Salt Commission leased out for manufacture of salt was considered and the President, in partial modification of the Government Resolution No.18(4)/59-Salt (Pt.VIII) dated 7<sup>th</sup> December, 1961 and further clarified under Government Resolution No.16(23)/63 - Salt dated 19<sup>th</sup> December, 1969, is pleased to approve that:-

"a) Central Government land will be leased out for salt manufacture for a period of 20 years by invitation of tender.

b) No renewal of lease will be done. Fresh tender for the assignment of land for salt manufacture will be called. The present lessee on expiry of the existing lease may participate along with fresh aspirants."

4. In view of the change in the policy, any renewal of lease is to be granted based on the notification. This Court do not find any infirmity in respect of the notification issued. Regulation of lease period is of paramount importance to avoid monopoly in a particular subject and thus, this Court is not inclined to interfere with the impugned order passed by the 2nd respondent. However, the petitioner is not in possession of the subject property. Thus, the relief sought for cannot be considered. Accordingly, the writ petition stands dismissed. No



costs. Consequently, the connected Miscellaneous Petitions are closed.

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Sd/-  
Assistant Registrar(CS-IV)

// True Copy //

Sub Assistant Registrar

ars/mka

To

1. The Secretary,  
Ministry of Commerce and Industry,  
Udyog Bhavan, New Delhi-110 107.
2. The Deputy Secretary,  
Ministry of Commerce and Industry,  
Udyog Bhavan, New Delhi-110 107.
3. The Salt Commissioner,  
Office of the Salt Commissioner, Lavan Bhawan,  
2-A, Lavan Marg Jhalana Doongri, Jaipur-302 004.
4. The Deputy Salt Commissioner,  
Office of the Deputy Salt Commissioner,  
Shastri Bhavan, 26, Haddows Road,  
Chennai-600 006.

+1cc to Mr.V.Raghavachari, Advocate, S.R.No.53759

W.P.No.17582 of 2014  
and  
M.P.Nos.1 and 2 of 2014

KSM(CO)  
RLP(01/11/2021)