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IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED : 29.12.2021

CORAM:

THE HON'BLE Dr. JUSTICE ANITA SUMANTH

W.P.Nos.28166, 28167, 28168, 28169, 28170, 28171, 28172, 28174,
28175, 28177, 28421, 28179, 28180, 28181, 28182, 28183, 28184,
28185, 28186, 28187 & 28188 of 2021 and

W.M.P.Nos.29775, 29777, 29776, 29778, 29779, 29780, 29781, 29782
, 29783, 29784, 30024, 29787, 29789, 29788, 29790, 29791, 29792,
29793, 29795, 29794 & 29796 of 2021

W.P.Nos.28166 of 2021

P.V.Mohamed Thahir

...Petitioner

- 1 M/S.AROMA BAKERY
REP BY ITS PARTNER MR. R. PONNUSWAMY
... PETITIONER in WP No.28167 of 2021
- 1 C.DORAIRAJ
... PETITIONER in WP No.28168 of 2021
- 1 M/S.KUTTUKARAN ENGINE RUBUIL
DERS REP. BY ITS PARTNER MR.FRANCIS K PAUL
... PETITIONER in WP No.28169 of 2021
- 1 P.VANJIMUTHU
... PETITIONER in WP No.28170 of 2021
- 1 M/S.GUNVATRAI AND CO
REP BY ITS PARTNER MR.CHIRAG
... PETITIONER in WP No.28171 of 2021
- 1 VINAY TALWAR
... PETITIONER in WP No.28172 of 2021
- 1 MR.V.K.PRABHU MUTHU KANNAN
... PETITIONER in WP No.28174 of 2021
- 1 M/S. SURESH HARDWARE
EP. BY ITS PARTNER MR. V.VENKATESAMURUGAN
... PETITIONER in WP No.28175 of 2021
- 1 P.VANJIMUTHU
PROPRIETOR M/S.SREE SANTHI ENTERPRISES
... PETITIONER in WP No.28177 of 2021



1 M/S.SUGUNA AUTOMOBILES
REP BY ITS PARTNER MR.R.SIVAKUMAR
... PETITIONER in WP No.28421 of 2021

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1 M/S. PREMIER TARPAULINS
... PETITIONER in WP No.28179 of 2021

1 N. CHINNASWAMY
... PETITIONER in WP No.28180 of 2021

1 M/S. SREE SANTHI FOOD AND BE
VERAGES A PARTNERSHIP FIRM REP. BY ITS
PARTNER MRS. SARASWATHY
... PETITIONER in WP No.28181 of 2021

1 VEENA TALWAR
... PETITIONER in WP No.28182 of 2021

1 M/S.ANAMALAI AGENCIES
REP. BY ITS PARTNER C.S.VIGNESHWAR
... PETITIONER in WP No.28183 of 2021

1 M/S.SREE SANTHI AND COMPANY
A PARTNERSHIP FIRM REPRESENTED BY ITS
PARTNER MRS.KAVITHAMANI
... PETITIONER in WP No.28184 of 2021

1 M/S. HARIDAS BHAGATH AND COMPANY (P)
LIMITED REPRESENTED BY ITS PARTNER
MR. CHANDRASEKAR
... PETITIONER in WP No.28185 of 2021

1 M/S.POPULAR AUTOMOBILES
REP. BY ITS PARTNER MR. FRANCIES K.PAUL
... PETITIONER in WP No.28186 of 2021

1 MUTHUSUNDARAM
... PETITIONER in WP No.28187 of 2021

1 MR. R. ANIRUDH
... PETITIONER in WP No.28188 of 2021

Vs

1. The Member Secretary
Tamil Nadu Sports Development Authority,
116-A,E.V.R.Periyar High Road,
Nehru Park, Chennai - 600030.

2. The Regional Senior Manager,
Development of Sports & Youth Welfare,
Sports Development Authority of Tamil Nadu,
Coimbatore Region,Nehru Stadium Complex,
Coimbatore - 641 018.

...Respondents



Prayer in W.P.Nos.28166 of 2021: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus or Direction or any other order in the nature of writ, forbearing the respondents from disturbing the petitioner's peaceful possession and conduct of business from shop No.24 & E5 either by coercive sealing of shop or evicting the petitioner in any other manner without resorting to due process of law.

WP No.28167 of 2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus or direction or any other in the nature of writ, Forbearing the respondents from disturbing the petitioners peaceful possession and conduct of business from shop No 25 either by coercive sealing of shop or evicting the petitioner in any other manner without resorting to due process of law

WP No.28168 of 2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus or direction or any other in the nature of writ, forbearing the respondents from disturbing the petitioners peaceful possession and conduct of business from Shop No.18 either by coercive sealing of shop or evicting the petitioner in any other manner without resorting to due process of law.

WP No.28169 of 2021

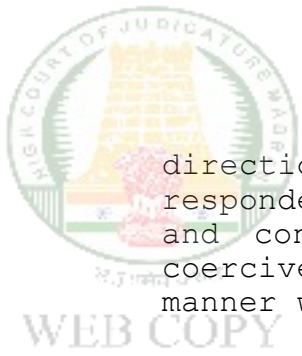
Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus or direction or any other in the nature of writ, Forbearing the respondents from disturbing the petitioners peaceful possession and conduct of business from shop Nos. 66 to 69 either by coercive sealing of shop or evicting the petitioner in any other manner without resorting to due process of law

WP No.28170 of 2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus or direction or any other in the nature of writ, Forbearing the respondents from disturbing the petitioners peaceful possession and conduct of business from shop No. 20 either by coercive sealing of shop or evicting the petitioner in any other manner without resorting to due process of law

WP No.28171 of 2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus or



direction or any other in the nature of writ, forbearing the respondents from disturbing the petitioners peaceful possession and conduct of business from Shop No.89 and E16 either by coercive sealing of shop or evicting the petitioner in any other manner without resorting to due process of law.

WP No.28172 of 2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus or direction or any other in the nature of writ, Forbearing the respondents from disturbing the petitioners peaceful possession and conduct of business from shop No. 1 and E1 either by coercive sealing of shop or evicting the petitioner in any other manner without resorting to due process of law

WP No.28174 of 2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus or direction or any other in the nature of writ, Forbearing the respondents from disturbing the petitioners peaceful possession and conduct of business from shop Nos 48 and 49 either by coercive sealing of shop or evicting the petitioner in any other manner without resorting to due process of law

WP No.28175 of 2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus or direction or any other in the nature of writ, Forbearing the respondents from disturbing the petitioners peaceful possession and conduct of business from shop No. 84 either by coercive sealing of shop or evicting the petitioner in any other manner without resorting to due process of law

WP No.28177 of 2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus or direction or any other in the nature of writ, Forbearing the respondents from disturbing the petitioners peaceful possession and conduct of business from shop No. 83 and E15 either by coercive sealing of shop or evicting the petitioner in any other manner without resorting to due process of law

WP No.28421 of 2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus or direction or any other in the nature of writ, forbearing the respondents from disturbing the petitioners peaceful possession and conduct of business from Shop Nos. 76 and 77 either by coercive sealing of shop or evicting the petitioner in any other manner without resorting to due process of law.



WP No.28179 of 2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus or direction or any other in the nature of writ, Forbearing the respondents from disturbing the petitioners peaceful possession and conduct of business from shop No. 53 either by coercive sealing of shop or evicting the petitioner in any other manner without resorting to due process of law

WP No.28180 of 2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus or direction or any other in the nature of writ, Forbearing the respondents from disturbing the petitioners peaceful possession and conduct of business from shop Nos 51 and 52 either by coercive sealing of shop or evicting the petitioner in any other manner without resorting to due process of law

WP No.28181 of 2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus or direction or any other in the nature of writ, Forbearing the respondents from disturbing the petitioners peaceful possession and conduct of business from shop No. 11 and E5 either by coercive sealing of shop or evicting the petitioner in any other manner without resorting to due process of law

WP No.28182 of 2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus or direction or any other in the nature of writ, forbearing the respondents from disturbing the petitioners peaceful possession and conduct of business from Shop No.78 and E 21 either by coercive sealing of shop or evicting the petitioner in any other manner without resorting to due process of law.

WP No.28183 of 2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus or direction or any other in the nature of writ, Forbearing the respondents from disturbing the petitioners peaceful possession and conduct of business from shop Nos. 12 to 16 either by coercive sealing of shop or evicting the petitioner in any other manner without resorting to due process of law

WP No.28184 of 2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus or



direction or any other in the nature of writ, Forbearing the respondents from disturbing the petitioners peaceful possession and conduct of business from shop No. 59 and E11 either by coercive sealing of shop or evicting the petitioner in any other manner without resorting to due process of law

WP No.28185 of 2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus or direction or any other in the nature of writ, Forbearing the respondents from disturbing the petitioners peaceful possession and conduct of business from shop No. 85 to 88 either by coercive sealing of shop or evicting the petitioner in any other manner without resorting to due process of law

WP No.28186 of 2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus or direction or any other in the nature of writ, forbearing the respondents from disturbing the petitioners peaceful possession and conduct of business from Shop Nos 70 to 75 either by coercive sealing of shop or evicting the petitioner in any other manner without resorting to due process of law.

WP No.28187 of 2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus or direction or any other in the nature of writ, forbearing the respondents from disturbing the petitioners peaceful possession and conduct of business from Shop No.30 either by coercive sealing of shop or evicting the petitioner in any other manner without resorting to due process of law.

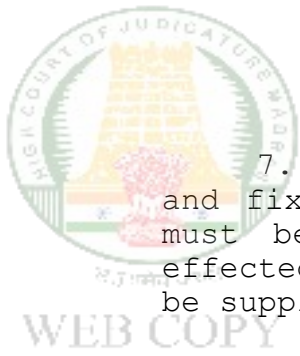
WP No.28188 of 2021

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus or direction or any other in the nature of writ, Forbearing the respondents from disturbing the petitioners peaceful possession and conduct of business from shop Nos 5 and E.2(Ups) either by coercive sealing of shop or evicting the petitioner in any other manner without resorting to due process of law

For Petitioner : R.Bharath Kumar
(in all WP's)

For Respondents : Mrs.C.Sangamithirai
Special Government Pleader
(in all WP's)





7. While the respondents are at full liberty to decide upon and fix the terms of the lease agreement, any change in terms must be put to the petitioners prior to such change being effected. Thus, let the copies of the aforesaid communications be supplied to the petitioners forthwith.

8. As on date, the petitioners are defaulters. There is a direction to them to pay the enhanced lease rentals computed for the entirety of the period when they were in occupation of the shops, computed on the basis of the lease agreement being 'prevailing rent', on or before 12.01.2022. Upon condition that the petitioners comply with the aforesaid direction, they are permitted to submit replies to the show cause notices on or before 20.01.2022.

9. They shall thereafter be heard personally and a view taken in regard to the extension of the leases or otherwise within a period of four weeks from date of personal hearing, that is, on or before 21.02.2022. Let the petitioners not be disturbed from possession till 21.02.2022, conditional upon the arrears having been remitted on or before 12.01.2022.

10. It is made clear that if the direction at paragraph 8 is not complied with, the respondents are at full liberty to proceed with the proceedings as proposed as well as any other proceedings as may be contemplated to recover the arrears of rent from the petitioners and evict them as per law.

11. No Costs. Connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

True Copy//

Sub Assistant Registrar

sli/vum

To

1. The Member Secretary
Tamil Nadu Sports Development Authority,
116-A, E.V.R. Periyar High Road,
Nehru Park, Chennai - 600030.



2. The Regional Senior Manager,
Development of Sports & Youth Welfare,
Sports Development Authority of Tamil Nadu,
Coimbatore Region,
Nehru Stadium Complex,
Coimbatore - 641 018.

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+1cc to the Government Pleader, S.R.No.69957, 69968

W.P.No.28166 of 2021
and
W.M.P.No.29775 of 2021 and batch

SSI[co]

NSK 04/01/2022