



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.11.2021

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THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) .Nos.20794, 20795, 20796 and 20797 of 2021

W.P. (MD) .No.20794 of 2021

G.Nallamal

... Petitioner

Vs.

The Commissioner,
Theni Allinagaram Municipality,
Theni.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, by directing the respondent to extend the lease in favour of the petitioner in respect of Shop No.5 and 17, near Kamaraj Municipal Bus Stand, by considering the petitioner's representation dated 07.10.2021 within the time that may be stipulated by this Court.

W.P. (MD) .No.20795 of 2021

Sukanya

... Petitioner

Vs.

The Commissioner,
Theni Allinagaram Municipality,
Theni.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, by directing the respondent to extend the lease in favour of the petitioner in respect of Shop No.8, near Kamaraj Municipal Bus Stand, by considering the petitioner's representation dated 07.10.2021 within the time that may be stipulated by this Court.

W.P. (MD) .No.20796 of 2021

Suresh

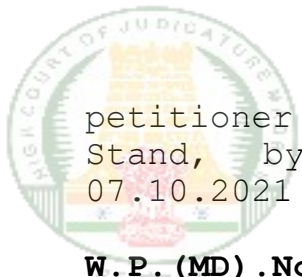
... Petitioner

Vs.

The Commissioner,
Theni Allinagaram Municipality,
Theni.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, by directing the respondent to extend the lease in favour of the



petitioner in respect of Shop No.12A, near Kamaraj Municipal Bus Stand, by considering the petitioner's representation dated 07.10.2021 within the time that may be stipulated by this Court.

W.P. (MD) .No.20797 of 2021

Gunasekaran

... Petitioner

Vs.

The Commissioner,
Theni Allinagaram Municipality,
Theni.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, by directing the respondent to extend the lease in favour of the petitioner in respect of Shop No.10, near Kamaraj Municipal Bus Stand, by considering the petitioner's representation dated 07.10.2021 within the time that may be stipulated by this Court.

For Petitioners : Mr.M.Mahaboob Athiff
For Respondent : Mr.K.Hema Karthikeyan
Standing Counsel
(In all Writ Petitions)

COMMON ORDER

These four Writ Petitions have been filed with respect to the various shops in Kamaraj Municipal Bus Stand at Theni District.

2. Learned counsel for the petitioners stated that the petitioners are tenants and then later stated that they are lessees.

3. But, learned counsel for the respondent however stated that the petitioners had licence to run the shop. It is also informed that the shops were given on lease and initially for a period of three years, with a clause for renewal and also another clause relating to rent.

4. The petitioners now claim the extension of period to continue to be in possession and occupation. All the petitioners have given representations on 07.10.2021 in this regard.

5. I am not examining further into the facts but let the respondent examine the representations, weigh it with the rent which are paid, weigh it with the various other applications received from various other persons who intend to run the shops, weigh it with respect to the nature of agreement between the respondent and the petitioners and also consider whether extension can be given, whether increase in the monthly rent / lease value / licence fee can be given and take necessary decision. Such decision should be taken on or before 17.12.2021.



6. With the above observations, the Writ Petitions are disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-III)

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// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Nsr/Lm

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:-

The Commissioner,
Theni Allinagaram Municipality,
Theni.

W.P. (MD) .Nos.20794, 20795, 20796 and 20797 of 2021
22.11.2021

PS (CO)

GC(02.12.2021) 3P 2C