



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 18.04.2022

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.9296 of 2022 & W.M.P.No.9056 of 2022

Mrs.Bhuvaneswari

... Petitioner

Vs.

1. The Mayor,
Salem Corporation,
Salem District,
Salem - 636 001.

2. The Commissioner,
Salem Corporation,
Salem District,
Salem - 636 001.

3. The Assistant Commissioner,
Ammapettai Zonal Office,
Salem Corporation,
Salem District,
Salem - 636 005.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, restraining the respondents from cancelling the lease order in Na.Ka.8/8888/2018 dated 01.07.2020 without following due process of law till the year 2023.

For Petitioner : Mr.B.Ram Prasath

For Respondents : Ms.K.Bhuvaneswari
Standing Counsel

ORDER

Ms.K.Bhuvaneswari, learned standing counsel accepts notice for the respondents and is in full possession of the facts to enable final disposal of this matter, even at this juncture. Hence, by consent of both learned counsel, this Writ Petition is disposed finally even at the stage of admission.



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2. The petitioner has been granted licence to manage a toll booth in relation to the Anandha Riverside Road Shops. A licence has been issued under proceedings in Na.Ka.8/888/2018 dated 01.07.2020 for the period 01.07.2020 to 30.06.2021. Even thereafter the petitioner claims to be continuing to manage the toll booth upon payment of requisite licence charges.

3. She had earlier approached this Court in W.P.Nos.12048 and 12059 of 2021, seeking mandamus to direct the respondents to enforce the lease order and provide waiver in respect of lease charges on account of the lockdown imposed by the State on account of Covid - 19 Pandemic or to provide payment in installments.

4. That writ petition came to be disposed by this Court on 20.05.2021 directing R2 to consider the representations of the petitioner in accordance with law. It is unknown whether these representations have been disposed.

5. The trigger for the present writ petition is that the petitioner legitimately apprehends termination of her arrangements of lease, despite the fact that she has been continued to function even after the expiry of the lease period upon payment of requisite charges.

6. In light of the aforesaid narration of admitted facts, it would suffice to direct the respondents to take action solely in accordance with law and following due process of law, as this would allay the apprehensions of the petitioner in this regard.

7. This Writ Petition is disposed as above. No costs. Connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-IV)

//True Copy//

Nst/sl

Sub Assistant Registrar

To

1. The Mayor,
Salem Corporation,
Salem District,
Salem - 636 001.



2. The Commissioner,
Salem Corporation,
Salem District,
Salem - 636 001.

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3. The Assistant Commissioner,
Ammappettai Zonal Office,
Salem Corporation,
Salem District,
Salem - 636 005.

+1cc to Mr.B.Ram Prasath, Advocate SR.No.26272

+1cc to Mr.K.Bhuvaneswari, Advocate SR.No.25969

W.P.No.9296 of 2022

& W.M.P.No.9056 of 2022

SKM(CO)

GN(05/05/2022)