



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 20.06.2022

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.15132 of 2022

Nandhagopal

... Petitioner

Vs

1. The District Collector,
District Collectorate,
Tiruppur District.
Tiruppur.

2. The Zonal Manager,
The Tamil Nadu State Marketing Corporation (TASMAC)
Angeripalayam Road,
Tiruppur District.

... Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to enhance the rent of the shop bearing No.1925 situated at Survey No.210/2B (S.F.No.210/2B2A as per present subdivision), Kanakkampalayam within the limits of Kanakkampalayam Village, Avinasi Taluk, Erode District from Rs.1,250 to Rs.8,000/- per month towards rent based on petitioner's representation dated 04.10.2021.

For Petitioner : Mr.C.S.Saravanan

For Respondents : Mr.V.Veluchamy
Additional Government Pleader

O R D E R



Mr.V.Veluchamy, learned Additional Government Pleader accepts notice for the respondents and is fully armed with sufficient instructions to enable final disposal of this matter even at the stage of admission. Hence, by consent expressed by both learned counsel, this Writ Petition is taken up for final disposal even at this stage.

2. The petitioner is the owner of the property at Survey No.210/2B (S.F.No.210/2B2A as per present subdivision), Kanakkampalayam within the limits of Kanakkampalayam Village, Avinasi Taluk, Erode District. He claims to have entered into an agreement with the second respondent/TASMAC for rental of the aforesaid property, wherein TASMAC has set up a shop bearing No.1925 and is presently operating therefrom.

3. The arrangement qua the petitioner and the second respondent is stated to be in operation from 2008. While this is so, the grievance expressed now is that the rent has not been enhanced from 2008 onwards and remains the same for the last 15 years. The petitioner claims to have made a representation on 04.10.2021, an acknowledgement of receipt of the same is placed at page 17 of the typed set of documents and has not, fairly been disputed by the learned Additional Government Pleader as well, whereunder he seeks enhancements of the rents.

4. He seeks a mandamus directing the respondents to enhance the rent which I am not inclined to consider, since the fixation of rent is a matter of negotiation between the landlord and the tenant, the petitioner and second respondent in this case.

5. Having said so, since the petitioner's representation as aforesaid makes the same prayer as made in this writ petition and the learned Additional Government Pleader has no objection to this, R2 is directed to dispose the representation of the petitioner dated 04.10.2021, after hearing the petitioner, within a period of eight (8) weeks from today,

6. This writ petition is disposed as above. No costs.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

nst



To

1. The District Collector,
District Collectorate,
Tiruppur District.
Tiruppur.

2. The Zonal Manager,
The Tamil Nadu State Marketing Corporation (TASMAC)
Angeripalayam Road,
Tiruppur District.

+1cc to Mr.C.S.Saravanan, Advocate, S.R.No.37135

+1cc to the Government Pleader, S.R.No.38309 (01/07/2022)

W.P.No.15132 of 2022

SKM(CO)
UMA(30/06/2022)