



W.P.Nos.23442, 23500 & 23557 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

W.P.Nos.23442, 23500 & 23557 of 2014

and

M.P.Nos.1, 1 & 1 of 2014

S.Selvakumar	..Petitioner in W.P.No.23442/2014
P.R.Velusamy	..Petitioner in W.P.No.23500/2014
P.R.Velusamy	..Petitioner in W.P.No.23557/2014

Vs.

- 1.The State of Tamil Nadu,
Rep. by The Secretary,
Adi Dravidar Welfare and Tribal Department,
Chepauk, Chennai – 600 005.
- 2.The Chairman,
TAHDCO, No.31, Cenotaph Road,
2nd Lane, Teynampet,
Chennai – 600 018.
- 3.The Managing Director,
TAHDCO, No.31, Cenotaph Road,
2nd Lane, Teynampet,
Chennai – 600 018.



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4.The District Manager/ Deputy Collector,
TAHDCO,
Govt. Boys' Hostel Compound,
Dr.Balasundaram Road,
Coimbatore – 641 018.

5.The Commissioner,
Corporation of Coimbatore,
Coimbatore – 641 001.

6.The District Collector,
Coimbatore District, Coimbatore.

..Respondents in all W.P.s

Common Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Certiorari, calling for entire records pertaining to the Na.Ka.No.A1/389/1999 dated 14.08.2014 passed by the 4th respondent and quash the same.

For Petitioner : Mr.E.D.Sethupathi

For Respondents : Mrs.C.Sangamithirai

Special Government Pleader for RR1 to 4 & 6

Mr.K.Magesh for R5

COMMON ORDER

Challenge in these writ petitions is to the eviction notice issued by the 4th respondent requiring the petitioners to vacate and hand over possession of the shops in the commercial complex owned by the 4th respondent.



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2. The petitioners were conferred with the license for running their business establishments in the shops constructed by the 4th respondent for a period of 11 months under the agreement dated 21st September 2001. The said agreement provides that the license shall be for a period of 1 year renewable for two 1 year terms. Therefore, the agreement had expired even in the year 2004 and there has been no further renewal. It is in these circumstances, the 3rd respondent Corporation had required the petitioners to vacate and deliver vacant possession to enable the Corporation to re-auction the shops.

3. Mr.D.Sethupathi, learned counsel appearing for the petitioners would contend that the petitioners will be entitled to a show cause notice since they have been accused of sub-letting the premises.

4. I am unable to sustain the said argument of the learned counsel, inasmuch as the period of lease itself is over and the petitioners have no legal right to continue in the premises. After all the Corporation is the owner of the property and it has the right to use the property to its best



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advantage and the petitioners cannot claim a permanent tenancy. *De hors* the claim of subletting, once the license period is over, the petitioners are bound to vacate and hand over possession.

5. I therefore see no merit in the writ petitions. The writ petitions fail and are accordingly dismissed. No costs. Consequently, the connected writ miscellaneous petitions are closed.

19.10.2022

dsa

Index : No

Internet : Yes

Speaking order



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To

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R.SUBRAMANIAN, J.

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