



WP.No.26078 of 2022

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 09.12.2022**

**CORAM:**

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

**W.P.No.26078 of 2022 &**

**W.M.P.No.25152 of 2022**

Burma Thamizhar Marumalarchi Sangam,  
Represented by its General Secretary,  
Mr.S.Ameer Hamsa,  
having office at Twenty Star Complex,  
1<sup>st</sup> Floor, No.7/8, 2<sup>nd</sup> Lane Beach Road,  
Chennai – 600 001.

... Petitioner

**Vs**

1. The Commissioner,  
The Greater Chennai Corporation  
Rippon Building, Chennai – 600 003.

2. The Assistant Revenue Officer,  
Greater Chennai Corporation,  
Rippon Building, Chennai – 600 003.

... Respondents

Prayer:- Writ Petition filed under the Article 226 of Constitution of India, to  
issue a Writ of Certiorarified Mandamus to call for the records pertaining to  
the impugned Order dated 07.09.2022 vide



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Ma.A.5.Va.thu.Na.Ka.No.R1/1508/2017 on the file of the first respondent herein and to quash the same, as illegal, arbitrary and unconstitutional and consequently direct the respondents not to dispose the Members of the Petitioner Association from the shops allotted to them.

For Petitioner : No appearance

For Respondents : Mrs.P.T.Ramadevi  
Standing Counsel for the respondents

### **ORDER**

This writ petition has been filed to quash the impugned Order dated 07.09.2022 passed by the first respondent herein as illegal, arbitrary and unconstitutional and consequently direct the respondents not to dispose the Members of the Petitioner Association from the shops allotted to them.

2. When this matter was listed on 08.12.2022, the learned counsel appearing for the petitioner sought time to today [09.12.2022] to argue the matter. Today, there is no representation for the petitioner.

3. It is relevant to note that in a previous occasion, the writ petitioner filed a Writ Petition in W.P.No.772 of 2019 seeking a direction to consider



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his representation to refix the rent. It is also to be noted that earlier similar direction has been given by this Court in the Writ Petition in W.P.No.772 of 2019. This Court by an Order dated 02.08.2021, passed the following Order :

“Taking into consideration the facts and circumstances of the case and the specific stand taken on either side and without going into the merits of the case, there shall be a direction to the representative of the petitioner association to go over to the office of the 2 nd respondent on 11.08.2021 at 11.30 a.m. The representative shall present the representation of the members of the association along with all the relevant materials. The 2 nd respondent shall consider the same and after conducting a physical verification, shall take a final decision in consultation with the 1 st respondent, within a period of eight weeks thereafter and convey the decision to the petitioner association.

7. This writ petition is disposed of with the above directions. No costs. Consequently, the connected writ miscellaneous petition is closed.”

in the terms of the above direction, the Writ Petition has been disposed of. The Writ Petition in W.P.No.21348 of 2022 has been filed by the writ petitioner subsequently and the said Writ Petition has also been disposed of. It appears that pursuant to the above Orders, notice has been served to the



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petitioner for personal hearing on 11.08.2021, 21.10.2021, 28.10.2021  
16.12.21 and 10.03.22 and thereafter, the impugned Order has been passed  
taking note of the guidelines issued in the Government Order in G.O.No.92  
dated 03.07.2007 and the rent has been enhanced from Rs.487/- to Rs.960/-  
and GST 173/- per month from the month of March, 2017. The same has  
been challenged in the present Writ Petition.

4. It is relevant to note that the rent has been fixed as per the  
guidelines of the Government Order and after giving opportunity to the  
petitioner. In such view of the matter, this Court do not find any infirmity in  
the Order enhancing the rent fixed by the first respondent.

5. Accordingly, this Writ Petition is dismissed. Consequently,  
connection miscellaneous petition is closed. No costs.

**09.12.2022**

vrc



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To,

1. The Commissioner,  
The Greater Chennai Corporation  
Rippon Building, Chennai – 600 003.
2. The Assistant Revenue Officer,  
Greater Chennai Corporation,  
Rippon Building, Chennai – 600 003.



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**N.SATHISH KUMAR, J.**

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