



WEB COPY



W.P.No.8856 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2023

CORAM :

THE HONOURABLE MR. JUSTICE **M. DHANDAPANI**

W.P.No.8856 of 2023

Lalitha

... Petitioner

Vs.

1. The District Collector,
Coimbatore District.
2. The Commissioner,
Coimbatore City Municipal Corporation,
Coimbatore District.
3. The Commissioner of Police,
Coimbatore City.
4. The Inspector of Police,
Saravanampatti Police Station,
Coimbatore City.
5. M. Karthik Sudhakar

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to take appropriate action against the fifth respondent in accordance with law, by considering the petitioner's representation dated 07.02.2023.



W.P.No.8856 of 2023

For Petitioner : Mr.N.P.Siva Chakravarthi
For Respondents : Mr.E.Veda Bagath Singh
Special Government Pleader for
R1 to R4

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the respondents 1 to 4 to take appropriate action against the fifth respondent in accordance with law, by considering the petitioner's representation dated 07.02.2023.

2. It is the case of the petitioner that the petitioner and fifth respondent have entered a rental agreement in respect of commercial building owned by her at No.30, S.P.S.Nagar, G.K.S.Nagar Extension, Saravanampatti, Coimbatore District – 641 035. On the premise that the fifth respondent is about to run a women's hostel under the name and style of Mridula Women's Hostel. It is further the case of the petitioner that as per the agreement the building was rented out upon condition that the fifth respondent has to produce necessary legal documents to run the women's hostel within a period of one month at the rate of Rs.75,000/- per month for a period of first three months and at the rate of Rs.90,000/- per month for the subsequent months.



W.P.No.8856 of 2023

The agreement was for a period of 11 months. When the petitioner requested to produce the documents even after the expiry of one month, the fifth respondent has refused to produce and further changed the name of the hostel from erstwhile name to Janani Women's Hostel. Thereafter, the fifth respondent did not pay any rent to the petitioner even after repeated requests. Hence the petitioner has filed a suit in O.S.No.1242 of 2022 for delivery of vacant possession of the property and likewise the fifth respondent has also filed a suit in O.S.No.1163 of 2022 for permanent injunction, both the suits are pending trial. Thereafter, on 07.02.2023 the petitioner has sent a representation to the respondents 1 and 2 entering the aforesaid facts and requested them to take necessary action against the fifth respondent in accordance with law. Since the said representation has not been disposed till date, the petitioner has come forward with the present writ petition.

2. Since no adverse order is being passed against the fifth respondent, notice to the fifth respondent is dispensed with.

3. Though very many grounds have been raised in the above writ petition, learned counsel for the petitioner submits that it would suffice if this



W.P.No.8856 of 2023

Court issues a direction to the respondents 1 to 4 to consider the petitioner's representation dated 07.02.2023 to pass appropriate orders within the time frame that may be fixed by this Court.

4. Learned Special Government Pleader appearing for the respondents 1 to 4 has no objection for the said order being passed.

5. Considering the facts and circumstances of the case, this Court without going into the merits of the case, directs the respondents 1 to 4 to consider the petitioner's representation dated 07.02.2023 on merits and in accordance with law and pass appropriate orders after affording an opportunity of hearing to the petitioner as well as aggrieved persons if any including the fifth respondent within a period of twelve weeks from the date of receipt of a copy of this order.

6. This Writ Petition is accordingly disposed of. No costs.

21.03.2023

Index : Yes / No
Speaking order / Nonspeaking order
Neutral Citation Case : Yes / No
(rap)



W.P.No.8856 of 2023

WEB COPY

To

1. The District Collector,
Coimbatore District.
2. The Commissioner,
Coimbatore City Municipal Corporation,
Coimbatore District.
3. The Commissioner of Police,
Coimbatore City.
4. The Inspector of Police,
Saravanampatti Police Station,
Coimbatore City.



WEB COPY



W.P.No.8856 of 2023

M.DHANDAPANI, J.

(rap)

W.P.No.8856 of 2023

21.03.2023