



W.P.No.7123 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

W.P.No.7123 of 2023

Mrs.Kamalamma

... Petitioner

Vs

1. The Commissioner HR&CE,
119, Uthamar Gandhi Road,
Thousand Lights West,
Nungambakkam, Chennai – 600 034.
2. The Joint Commissioner, HR&CE,
119, Uthamar Gandhi Road,
Thousand Lights West,
Nungambakkam, Chennai – 600 034.
3. The Executive Officer,
Arulmigu Rathina Vinayagar and
Durgai Amman Temple,
No.22/49, Whites Road,
Royapettah, Chennai – 600 014.

... Respondents

Prayer:– Writ Petition is filed, under the Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, directing the respondents to consider petitioner's representation datd 20.09.2022 to undertake repair activities at D.No14/19, Thiru.Vi.Ka.Road, Royapettah, Chennai – 600 014 and to regularize the rent and also her tenancy on the lease–hold property.



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For Petitioner : Mr.Shobana Ramasubramanyan
For R1 and R2 : Mr.N.R.R.Arun Natarajan,
Special Government Pleader (HR&CE)
For R3 : Mr.K.Karthikeyan, Government Advocate

ORDER

This Writ Petition has been filed to direct the respondents to consider petitioner's representation dated 20.09.2022 to undertake repair activities at D.No14/19, Thiru.Vi.Ka.Road, Royapettah, Chennai-600 014 and to regularize the rent and also her tenancy on the leasehold property.

2. Based upon instructions, dated 14.10.2022 and 10.10.2022 and also the copy of the paper publication for the general public in respect of tender scheduled to be held on 14.09.2022 and also the auction registered, the learned Spl.G.P. and learned Government Advocate contended that in respect of Door No.19 in S.No.328/1, there were arrears to an extent of 12,936 sq.ft. and the same is fixed on the tender price amount and the shop residential cover card and in the only public auction, one person Mr.A.Sankar, Vyasarpadi, Chennai - 39 has taken the tender on the monthly rent on 14.10.2022 and the same was



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accepted as per 14.10.2022 proceedings and hence, I find that the representation is only to circumvent the calculation of arrears rent, and hence, I am inclined to grant direction as sought for.

3. The learned counsel for the petitioner would submit that the petitioner is not aware of the statement given by the Government and also the subsequent development said to have been taken. In the event she was served upon them, it is open to the petitioner to file appropriate application for the necessary relief before the appropriate Court.

4. The writ petition is disposed of in the above terms. No costs.

09.03.2023

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Index:Yes/No

Neutral Citation : Yes/No

To

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RMT.TEEKAA RAMAN,J.,

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