



W.A.No.2373 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.10.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.A.No.2373 of 2023

Lavanya

.. Appellant

Vs.

1.The Additional Collector (Development),
Project Director (Incharge)
Tamil Nadu Corporation for
Development of Women (TNCDW),
Villupuram.

2.The Block Development Officer (V.Oo),
Thiruvannainallur Block,
Thiruvannainallur Taluk,
Villupuram District.

3.The President,
Aanathur Panchayat,
Aanathur Village and Post,
Thiruvannainallur Taluk,
Villupuram District.

4.M.Chandrasekaran

.. Respondents

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Prayer : Appeal filed under Clause 15 of the Letters Patent against the order of the learned Single Judge dated 30.6.2023 made in W.P.No.19210 of 2023.

For the Appellant : Mr.D.Baskar

For the Respondents : Mr.P.Muthukumar
State Government Pleader
assisted by
Mr.Karthik Jagannath
Government Advocate
for respondents 1 to 3

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

Heard Mr.D.Baskar, learned counsel for the appellant and Mr.P.Muthukumar, learned State Government Pleader, assisted by Mr.Karthik Jagannath, learned Government Advocate for respondents 1 to 3.

2. Learned counsel for the appellant submits that the appellant is in possession of the shop on lease since 25 years and is running electrical business. It is stated that the same is in the



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name of Smiling Flowers Women Self Help Group. The appellant is not a defaulter. The appellant has not violated any of the terms of the lease. Now the respondent authorities want to discontinue the appellant, to allot the same to the other Self Help Group. The same is unreasonable.

3. Learned State Government Pleader submits that a person cannot be on lease for more than nine years as per the Government Order No.92, dated 03.07.2007. The appellant is in possession for more than 25 years.

4. We have considered the submissions.

5. It is not disputed that the appellant is only a tenant. The appellant does not have vested right. The shop, according to the respondents, cannot be in tenant's occupation or cannot be given on lease to one person for more than nine years.

6. Be that as it may, if the policy permits that the appellant



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can still participate, then the appellant may participate in the process of fresh lease. However, the same would be subject to the policy of the respondents.

7. With these observations, the writ appeal stands disposed of. There will be no order as to costs. Consequently, C.M.P.No.19998 of 2023 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

20.10.2023

Index : Yes/No
Neutral Citation : Yes/No
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To

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THE HON'BLE CHIEF JUSTICE
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D.BHARATHA CHAKRAVARTHY, J.

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