



W.P.(MD)No.8801 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.11.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.8801 of 2020

and

W.M.P.(MD).No.8068 of 2020

N.Vijayakumar

... Petitioner

Vs

1.The District Collector,
Tirunelveli District, Tirunelveli.

2.The Assistant Director of Panchayat,
Collectorate, Tirunelveli.

3.The Executive Officer,
Thisayanvilai Selection Grade Town Panchayat,
Thisayanvilai, Radhapuram Taluk,
Tirunelveli District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to Na.Ka.No.42/2019 dated 16.03.2020 and other consequential communication dated 28.05.2020 of the Executive Officer Thisayanvilai Town Panchayath, the 3rd respondent herein and quash the same and consequently direct the 3rd respondent to consider the petitioner's representations dated 23.03.2020 and 06.06.2020 to adjust the



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deposit amount lying in the 3rd respondent to the arrears of rental amount and close the shop nos.7 and 9 stood in the name of the father of the petitioner.

For Petitioner : Mr.S.Siva Thilakar
For R-1 to R-3 : Mr.A.K.Manikkam,
Special Government Pleader

ORDER

This Writ Petition has been filed challenging the impugned proceedings of the third respondent dated 16.03.2020 and the other consequential communication dated 28.05.2020 and consequently directing the third respondent to consider the representation made by the petitioner, wherein, the petitioner has sought for adjustments of the deposit amount lying with the third respondent towards the arrears of rental amount.

2. Heard the learned counsel on either side.

3. The issue that is involved in the present Writ Petition pertains to the arrears of rent that is payable by the petitioner. Even on an earlier occasion, the petitioner had approached this Court and filed W.P.(MD).No.6434 of 2019 and W.M.P.(MD).No.5144 of 2019. In that Writ Petition, an order was passed, directing the payment of arrears of rent in



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instalments at the rate of Rs.25,000/- (Rupees Twenty Five Thousand only) every month. This order passed by this Court was not complied with by the petitioner and as a result, the impugned proceedings came to be issued by the third respondent asking the petitioner to pay the arrears of rent.

4. In the considered view of this Court, when the earlier order passed by this Court was not complied with by the petitioner, no further leniency can be shown to the petitioner and the petitioner will be bound to pay the arrears of rent. It is also brought to the notice of this Court that the shops have been closed two years back and sealed. This Court does not find any merits in this Writ Petition and accordingly, the same is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

10.11.2023

NCC:yes/no
Index:yes/no
Internet:yes/no
tsg



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N.ANAND VENKATESH, J.

tsg

To

- 1.The District Collector,
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- 2.The Assistant Director of Panchayat,
Collectorate, Tirunelveli.
- 3.The Executive Officer,
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