



W.P.(MD)No.14989 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.14989 of 2017 and
WMP(MD) No.11818 of 2017

The Cooke's Club,
Rep by its Secretary,
S.Baskaran

... Petitioner

Vs

1.The Additional Chief Secretary,
Commissioner of Land Administration,
Chepauk, Chhennai - 600 005.

2.The District Revenue Officer,
Trichy, Trichy District.

3.The Revenue Divisional Officer,
Musiri,
Trichy District.

4.The Thasildar,
Musiri,
Trichy District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorarified Mandamus call for the records of the impugned order passed by the 1st respondent in



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Rc.No.E2/8058/2013 dated 21.06.2016 quash the same and consequently directing the 4th respondent to receive a rent of Rs.9,600/- p.a.

For Petitioner : Mr.C.Susi Kumar
For Respondents : Mr.G.Suriyananth
Government Advocate

ORDER

This writ petition was filed in the year 2017 challenging the orders passed by the Commissioner of Land Administration in the revision petition filed by the petitioner on 21.06.2016.

2.The petitioner club was provided with a lease of Government land in S.No.248 (Old No.357/2) to an extent of 0.28 acres at Musiri Taluk, Trichy District in B.P.Misc.No.3179, dated 04.11.1930 and the above lease was periodically extended and on 11.07.1958, it was renewed for a period of 10 years w.e.f 01.11.1956 by fixing a lease amount of Rs.3.50 per annum. On expiry of lease period on 31.10.1966, the lease has not been renewed. However, the



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club was allowed to use the property. The Accountant General has raised an objection for non-collection of lease rent from the petitioner Club for the Fasli year 1413 and 1414. Therefore, the fourth respondent /the Tahsildar has tentatively fixed the lease rent depending upon the market value of the land for the period from 01.11.2011 to 31.10.2005 and demanded the lease rent of Rs.1,80,524/- from the petitioner club vide proceedings in Rc.No.F2/2815/05, dated 08.08.2007. Challenging the above proceedings of the Tahsildar, the petitioner club has filed a revision petition before the first respondent/the Additional Chief Secretary/Commissioner of Land Administration, Chennai and the first respondent has rejected the revision petition filed by the petitioner by the order impugned in this writ petition.

3.Today(05.12.2023), when this writ petition is taken up for hearing, the learned counsel appearing for the petitioner submits that the land has already been taken over by the Government and



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therefore, nothing survives in this writ petition and requests that this writ petition may be closed as infructuous.

4.This Court considered the submissions made by the learned counsel for the petitioner and also perused the order impugned in this writ petition.

5.Since the petitioner is not pressing this writ petition, this writ petition is dismissed. However, considering the issue involved in this writ petition, liberty is granted to the respondents to recover the arrears of rent, if any, from the petitioner club in accordance with law. No costs. Consequently, connected Miscellaneous Petition is closed.

05.12.2023

NCC : Yes / No.
Index : Yes / No.
Internet : Yes / No.
vrn



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To

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B.PUGALENDHI, J.

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W.P.(MD)No.14989 of 2017 and
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05.12.2023