



W.P.No.500 of 2006

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2024

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

W.P.No.500 of 2006

The Madras Race Club  
Rep. by its Secretary  
Guindy, Chennai.

.. Petitioner

Vs.

1. The Government of Tamil Nadu  
Rep. by its Secretary  
Revenue Department, Fort St. George  
Chennai – 600 009.

2. The Special Commissioner &  
Commissioner of Land Administration  
Ezhilagam, Chepauk, Chennai – 600 005.

3. The District Collector of Nilgiris  
Ooty, Nilgiris.

4. The Tahsildar  
Ooty Taluk, Nilgiris District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking for a writ of certiorarified mandamus, calling for the records of the second respondent vide proceedings No.ROC.No.E3/8271/05 dated 19.11.05 and to quash the same and further direct the respondents to renew the lease of the land at S.No.1993, 1994 and 2000/3 at Ooty Town, Nilgiris District in favour of the Madras Race Club, Guindy, Chennai.

*Page 1 of 6*



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W.P.No.500 of 2006

For the Petitioner : Mr.Vishnumohan  
For the Respondents : Mr.P.S.Raman  
Advocate General  
assisted by Mr.A.Selvendran  
Special Government Pleader  
for R1 to R4

ORDER

(Delivered by the Hon'ble Mr. Justice S.M.SUBRAMANIAM)

The order passed by the Commissioner of Land Administration

in proceedings dated 19.11.2005 is under challenge in the present writ petition.

2. The demand notice originally issued by the District Administration was challenged by the petitioner Madras Race Club in W.P.No.24274 of 2005. This Court passed an order on 28.07.2005 directing the writ petitioner to pay a sum of Rs.25 lakhs in five installments to show their *bonafide*. The petitioner was also granted liberty to submit their objections. Accordingly, the petitioner submitted their objections before the Commissioner of Land Administration, who in turn conducted an enquiry and passed final orders vide proceedings dated 19.11.2005. The said order came to be challenged in the present writ petition.



W.P.No.500 of 2006

WEB COPY

3. The impugned order is the demand notice issued by the District Administration, asking the petitioner Madras Race Club to pay the lease rent of Rs.63,14,247/- for the years 2001-04. The said demand notices were found to be in order by the Commissioner of Land Administration. Subsequent developments would reveal that the lease was not renewed and at present, the Madras Race Club is an unauthorized occupant.

4. *Mr.P.S.Raman*, learned Advocate General would submit that the arrears of lease rent as on the year 2023 would be around Rs.822,63,04,080/- (without interest) and further actions are initiated.

5. In view of the fact that several demand notices were issued during subsequent years to recover the lease rent and the lease period expired, the petitioner is not entitled for any relief. Renewal of lease can't be claimed as a right. It is the public property and to be utilized for the public interest.

*Page 3 of 6*



W.P.No.500 of 2006

WEB COPY

6. Thus, the respondents shall initiate all appropriate action to recover the arrears of lease rent and to resume the land, since the lease was not renewed. The said actions are to be initiated without any loss of time, since it is a public property and the Authorities are duty bound to protect the same and utilize it for public purposes.

7. The writ petition, accordingly, stands dismissed. There shall be no order as to costs. Consequently, W.P.M.P.No.572 of 2006 is closed.

(S.M.S., J.)

(C.K., J.)

21.06.2024

Index : Yes/No

Neutral Citation : Yes/No

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W.P.No.500 of 2006

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W.P.No.500 of 2006

S.M.SUBRAMANIAM, J.

AND

C.KUMARAPPAN, J.

(drm)

W.P.No.500 of 2006

21.06.2024  
(2/4)