



W.P.No.30027 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.30027 of 2014 and
MP.No.1 of 2014

Manoharan

... Petitioner

Vs.

- 1.The Director of Municipal Administration &
Water Supply & Drainage Board,
Ezhilagam,
Chepauk,
Chennai 600 005
- 2.The Municipal Commissioner,
Mannargudi Municipality,
Mannargudi – Post,
Thiruvarur – District
- 3.The Chairman,
Mannargudi Municipality,
Mannargudi – Post,
Thiruvarur - District

... Respondents

PRAYER:

Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the respondents herein not to evict the petitioner from the shop No.5 in front of Municipality Office, Mannargudi-Post, Thiruvarur – District without due process of law.



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For Petitioner : Mr.D.Veerasekaran

For Respondents

For R1 : Dr.T.Seenivasan,
Special Government Pleader

For R2 : Mr.P.Srinivas

ORDER

This writ petition has been filed for direction to the respondents not to evict the petitioner from shop No.5 in front of Municipality Office, Mannargudi-Post, Thiruvarur – District without due process of law.

2. It is seen that the above shop No.5 was originally let out in favour of one, S.Lakshmanan for the period from 1991 to 2005. Subsequently it was transferred to the petitioner. While being so, auction was conducted on 27.08.2008, in which the petitioner had participated and the petitioner was granted lease since he was the successful bidder. The petitioner made all deposits as required by the respondents. The petitioner was paying rent regularly without fail. As per the Government orders, the lease ought to have been extended for further period by



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enhancing rent at 15% of the existing monthly rent. While being so, the petitioner apprehended eviction by the respondents from the said shop No.5. It is also seen that after demise of the petitioner, his family members are in occupation of the shop.

3. On instruction, the learned counsel for the respondents would submit that the lease period already expired and the petitioner's family members are about to vacate and hand over the vacant possession.

4. In view of the above, the respondents are directed to consider the case of the petitioner's family members for renewal of lease in accordance with law, and if not, the respondents are directed to take appropriate action as against the petitioner's family members for eviction in accordance with law.

5. With the above direction, this writ petition is disposed of. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

23.09.2024

Neutral Citation: Yes/No
Index: Yes/No



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Speaking/Non-speaking order
lok

G.K.ILANTHIRAIYAN, J.

lok

To

- 1.The Director of Municipal Administration &
Water Supply & Drainage Board,
Ezhilagam,
Chepauk,
Chennai 600 005
- 2.The Municipal Commissioner,
Mannargudi Municipality,
Mannargudi – Post,
Thiruvarur – District
- 3.The Chairman,
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