



WEB COPY



W.P.No.32147 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2024

CORAM:

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

W.P.No.32147 of 2024

Sankhari

... Petitioner

-Vs-

1. The Commissioner,
Revenue Officer,
Pondicherry Municipality,
Kamban Kalai Arangam Bussy Street,
Pondicherry 605 001.

2. Zoulaikaby

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to consider the petitioner representation dated 02.09.2024 for revocation of guest house license granted in favor of the second respondent in regard to the petitioner premises situated at Door No.27, 1st Main Road, Moogambigai Nagar, Nainarmandapam, Pondicherry within a time bound manner.

For Petitioner	: Mr.K.Myilsamy
For R1	: Mr.Ramasamy Meyappan Government Advocate (Pondy)

ORDER



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This writ petition has been filed for direction directing the first respondent to consider the petitioner representation dated 02.09.2024 for revocation of guest house license granted in favor of the second respondent in regard to the petitioner premises situated at Door No.27, 1st Main Road, Moogambigai Nagar, Nainarmandapam, Pondicherry within a time bound manner.

2. Heard and perused the materials available on record.

3. It is seen that the petitioner purchased the subject property from her vendor. Her vendor leased out the subject property in favour of the second respondent to run a guest house. As per the lease agreement, the second respondent was issued license to run the guest house in the subject premises. Even before purchase, the petitioner's vendor served notice for eviction and did not extend the lease period. However, the second respondent did not vacate the premises. In the meanwhile, the petitioner purchased the said property and lease period was not extended in favour of the second respondent.

4. Admittedly, the second respondent is running a guest house without any valid lease agreement.



W.P.No.32147 of 2024

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5. On instructions, the learned Government Advocate (Pondy) appearing for the first respondent submitted that for granting license, the person should prove the occupation either by ownership or by lease.

6. In view of the above, the first respondent is directed to issue notice to the petitioner and the second respondent, conduct enquiry on the representation submitted by the petitioner dated 02.09.2024 and after giving an opportunity of hearing to them, pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above directions, this writ petition is disposed of. There shall be no order as to costs.

28.10.2024

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No
mn

G.K.ILANTHIRAIYAN. J.

mn



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To
The Commissioner,
Revenue Officer,
Pondicherry Municipality,
Kamban Kalai Arangam Bussy Street,
Pondicherry 605 001.

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