



W.P(MD)Nos.1830 to 1849 of 2024 batch

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 02.02.2024

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition(MD)Nos.1830 to 1849 of 2024

and

W.M.P(MD)Nos.1824, 1825, 1827, 1828, 1831 to 1846, 1848 to 1851, 1853, 1854, 1858, 1860, 1864, 1865, 1868, 1869, 1871, 1872, 1874, 1875 and 1878 to 1881 of 2024

Writ Petition(MD)No.1830 of 2024

M.Venkatesh

.. Petitioner

Vs

1.The Commissioner,
Karur City Municipal Corporation,
Karur.

2.The Assistant Revenue Officer,
Karur City Municipal Corporation,
Karur.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records of the impugned order passed by the 2nd respondent herein in his proceedings in Na.Ka. No.1255/2020/A6 dated 29.12.2023 and quash the same as illegal and further direct the respondents herein not to interfere with the petitioner's peaceful possession and enjoyment of Shop No.17 in Vekateshwara Road Western Side, Karur Town, Karur till the fixation of ground rent in



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accordance with the order dated 13.12.2023 passed in WP (MD) Nos.29483 to 29506 of 2023 and order dated 31.01.2019 passed in WP (MD) Nos.4372 to 4398 of 2023.

For Petitioner : Mr.D.Nallathambi

For Respondents : Mr.K.Balasubramani
Standing Counsel

COMMON ORDER

These writ petitions have been filed challenging the impugned notice issued by the second respondent dated 29.12.2023, wherein, the second respondent demanded arrears of rent from the respective petitioners, and seeking a further direction to the respondents not to interfere with the petitioners' peaceful possession and enjoyment of their respective shops situated at Vekateshwara Road Western Side, Karur Town, Karur, till the fixation of ground rent in accordance with the order dated 13.12.2023 passed in WP (MD) Nos.29483 to 29506 of 2023 and order dated 31.01.2019 passed in WP (MD) Nos.4372 to 4398 of 2023.

2. The respective petitioners are running the shops at the land of the respondent Corporation. The respondent corporation demanded arrears of rent



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from the petitioners by issuing impugned notice. It is not a pacca construction

put by the Corporation, however, the authorities demanded rent for the shops.

As per the procedure, ground rent alone has to be fixed. As per the earlier order dated 31.01.2019 passed in WP (MD) Nos.4372 to 4398 of 2023, the respondent Corporation have to pass appropriate orders, after hearing the respective petitioners in person and thereafter, they have to fix the ground rent as per the occupation of the petitioners, according to the guidelines fixed by the Government.

3. Therefore, the petitioners are directed to pay the demanded amount within the time fixed by the authorities. The authorities are directed to give sufficient time for paying those arrears of rent. Arrears of rent will be paid on installment basis by the petitioners. The authorities cannot compel the petitioners to pay the arrears amount within a week or within a month. It is made clear that both the parties cannot prolong the matter further. The first respondent/Commissioner is directed to take appropriate action, if there is any failure on the part of the petitioners/shop owners. The ground rent to be fixed from 01.01.2017. Before that ground tax has to be collected.

4. With the above directions, these writ petitions are disposed of. No



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costs. Consequently, connected miscellaneous petitions are closed.

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02.02.2024

NCC : Yes/No

Index : Yes/No

Internet: Yes

skn

To

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2. The Assistant Revenue Officer,
Karur City Municipal Corporation,
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V.BHAVANI SUBBAROYAN, J.

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