



WP(MD)Nos.10975, 12783, 13548 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)Nos.10975, 12783, 13548 of 2018

and

WMP(MD)Nos.10103, 10104, 10994, 12340, 12341 of 2018

T.Saravanan

.. Petitioner in all WPs

v.

The Commissioner,
Ramanathapuram Municipality,
Ramanathapuram.

.. Respondent in all WPs

PRAYER in WP(MD)No.10975/2018: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records of the impugned order passed by the respondent in Na.Ka.No.2482/2014/F2 dated 06.04.2018 served upon the petitioner on 10.04.2018, quash the same and directing the respondent to remove the lock and seal in “New Thiraviyam Tiles” in Door No.1/33, Devipattinam Road, Western Side of Kidaivetti Oorani, Ramanathapuram, within a stipulated time limit.



PRAYER in WP(MD)No.12783/2018: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondent to consider the petitioner's representation dated 31.05.2018 and pass appropriate orders to extend the lease in favour of the petitioner with 15% increase in the monthly rent (for another period of three years) in respect of shop in Door No.1/33, Devipattinam Road, Western Side of Kidaivetti Oorani, Ramanathapuram, within a stipulated time limit.

PRAYER in WP(MD)No.13548/2018: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records of the impugned order passed by the respondent in Na.Ka.No.2482/2018/F2 dated 18.06.2018, quash the same and directing the respondent to extend the lease in respect of the shop in Door No.1/33, Devipattinam Road, Western Side of Kidaivetti Oorani, Ramanathapuram, for a further period of three years in favour of the petitioner, within a stipulated time limit.



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For Petitioner : Mr.D.Nallathambi

For Respondent : Mr.A.Kannan

[In all WPs]

COMMON ORDER

The petitioner has obtained license for a shop by participating in a tender conducted by the respondent Municipality in the year 2015. The shop was allotted for a period of three years with effect from 18.06.2015. After the expiry of the lease period, the petitioner has submitted a representation that he is not having any arrears and sought for extending the lease period.

2.Learned Counsel for the petitioner submitted that in the event if there is no arrears of any rent, the respondent Municipality can extend the period of license, as per the license conditions, with 15% increase of the lease amount.



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3.Learned Counsel for the respondent submitted that it is up to the respondent Municipality to either renew or to go for a fresh auction. In any event, in view of the recent enactment, Tamil Nadu Urban Local Bodies Rules, 2023, the properties of the Municipalities will be leased out only by way of a public auction once in three years.

4.Recording the aforesaid submission made by the learned Counsel for the respondent, these writ petitions stand closed. It is open to the petitioner to participate in the public auction to be conducted by the respondent, if so advised.

There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes / No
NCC : Yes / No
Internet : Yes
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To
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B.PUGALENDHI, J.

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