



W.P.(MD)No.20722 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

W.P.(MD)No.20722 of 2018

N.Latha

... Petitioner

/Vs./

**1.The District Collector,
Sivagangai District.**

**2.The Special Tahsildar,
(Land Acquisition),
National Highways No.210,
Devakottai,
Sivagangai District.**

...Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the second respondent to disburse a sum of Rs.1,50,000/- to the petitioner in respect of payment of arrears of monthly due towards the petitioner's Mahindra Logan Car bearing Regn.No.TN63P 1818 for the period from September 2015 to February 2016 on the basis of the petitioner's representation dated 23.04.2018.

For Petitioner : Mr.P.Kalaiyarasi Bharathi

**For Respondents : Ms.D.Farjana Ghoushia
Special Government Pleader**



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ORDER

The petitioner has filed this writ petition for a direction to the second respondent to disburse a sum of Rs.1,50,000/- to the petitioner towards arrears of rent for hiring the petitioner's car.

2.The grievance of the petitioner is that the petitioner is having a Mahindra Logan Car bearing Registration No.TN-63-P-1818. The second respondent granted approval for hiring the car of the petitioner for a sum of Rs.25,000/- per month from the year 2014. The rent was being paid to the petitioner regularly. However, from the month of September 2015 to February 2016, the second respondent has not paid the rent. Hence, the petitioner made a representation dated 23.04.2018. Since the same was not considered, the petitioner has filed this writ petition.

3.The learned Special Government Pleader appearing for the respondents, on instructions, submits that one K.Naganathan, who is the husband of the petitioner, was working as Tahsildar from 11.06.2014 to 22.02.2016 at Devakottai. At that time, he availed the services of the



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petitioner's car based on the approval granted by the second respondent.

The rent amount for hiring the car has been paid from time to time to the petitioner herein. Thereafter, the said Naganathan was transferred to Sivagangai on 21.02.2016. After he was re-transferred, the husband of the petitioner submitted the bill for September 2015 to October 2015 and had withdrawn a sum of Rs.50,000/-. He further submits that for the remaining period as claimed by the petitioner i.e., November 2015 to February 2016, the petitioner was directed to appear for enquiry and produce the materials to substantiate her claim, but the petitioner failed to appear for enquiry. The second respondent contends that the husband of the petitioner availed the services of the petitioner's car without getting any approval from the Block Development Officer for the period in question. Hence, the claim made by the petitioner cannot be accepted without valid documents.

4.I have heard the rival contentions made on either side and perused the materials available on record.



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5.The claim of the petitioner is that there are arrears of rent towards hiring of the petitioner's vehicle. But the second respondent states that the entire rent for using the petitioner's vehicle was settled to the petitioner. However, the second respondent states that if the petitioner produces the records to substantiate her claim, then the same will be considered on merits.

6.Therefore, the petitioner is directed to appear before the respondent on 15.04.2024 along with relevant materials substantiating her claim. On receipt of the same, the second respondent shall consider and pass orders on its own merits and in accordance with law within a period of twelve weeks thereafter.

7.With the above direction, this writ petition is disposed of. No costs.

18.03.2024

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

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