



W.P.(MD)No.30604 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **18.12.2024**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)No.30604 of 2024

A.Senthilvel

... Petitioner

Vs.

1. The Commissioner,
Madurai City Municipal Corporation,
Arignar Anna Maligai,
Melur Road,
Madurai.

2. The Assistant Commissioner,
South Zone - IV,
Madurai City Municipal Corporation,
CMR Road, Munisalai,
Madurai 625 009.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to remove the lock in shop bearing No. 373, South Gate Market, South Gate, Madurai, on the basis of the petitioner's representation dated 02.12.2024 in favour of the petitioner.

For Petitioner : Ms.Juliet Latha

For Respondents : Mr.S.Vidyasagar

Standing Counsel



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ORDER

WEB COPY This writ petition is filed seeking for a direction to the respondents to remove the lock in the Shop bearing No. 373, South Gate Market, South Gate, Madurai, on the basis of the petitioner's representation dated 02.12.2024.

2. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. Heard the learned counsel appearing for the petitioner, the learned standing counsel appearing for the respondents and carefully perused the entire materials available on record.

4. The petitioner has made a representation dated 02.12.2024 requesting the respondents to remove the lock in the Shop bearing No. 373, South Gate Market, South Gate, Madurai, on the basis of the judgment and decree dated 31.01.2023, passed in O.S.No.734 of 2017 on the file of the Additional District Munsif Court, Madurai.

5. The learned standing counsel appearing for the respondents vehemently contended that the respondents have not violated the judgment and



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decree passed by the Additional District Munsif Court, Madurai in O.S.No.734 of 2017. However, only because of the default committed by the petitioner in paying the arrears of rent, the respondents are not able to take a final decision in favour of the petitioner, for which, the learned counsel appearing for the petitioner categorically submitted that already an amount of Rs.2,35,000/- has been paid.

6. Per contra, the learned standing counsel appearing for the respondents submitted that the total amount of arrears of rent is Rs.4,33,000/-.

7. In reply to the same, the learned counsel appearing for the petitioner submitted that the petitioner will pay the balance arrears of rent within a period of ten days.

8. Recording the same, this Court directs the respondent Corporation to forthwith remove the lock in the Shop bearing No. 373, South Gate Market, South Gate, Madurai, on the basis of the petitioner's representation dated 02.12.2024. Incase of failure on the part of the petitioner to pay the balance arrears of rent on or before 28.12.2024, the respondents are at liberty to seal the Shop bearing No. 373, South Gate Market, South Gate, Madurai.



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

18.12.2024

NCC : Yes / No

Index : Yes / No

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Note: **Issue order copy on 18.12.2024.**



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TO:-

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L.VICTORIA GOWRI, J.

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Order made in
W.P.(MD)No.30604 of 2024

Dated
18.12.2024