



W.P.No.7852 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2025

CORAM

THE HON'BLE MR.JUSTICE **J.SATHYA NARAYANA PRASAD**
W.P.No.7852 of 2025

Syed Saleem

... Petitioner

vs.

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

2. Rajan

3. Sankhari

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the 1st respondent to renew the License No.10131001840/PM/2023-2024 already granted for the year 2023 to 2024 and 2024 to 2025 by considering the renewal application dated 07.01.2025 to run the Guest House in the premises bearing Door No.27, 1st Main Road, Moogambigai Nagar, Nainarmandapam, Pondicherry.

For Petitioner : Mr.K.Senthil Kumar

For R1 : Mr.V.Vasanthkumar



W.P.No.7852 of 2025

Addl.Govt.Pleader

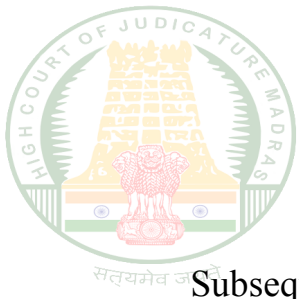
WEB COPY

ORDER

By consent, the Writ Petition is taken up and disposed of at the admission stage itself.

2. The present writ petition has been filed to direct 1st respondent to renew the License No.10131001840/PM/2023-2024 already granted for the year 2023 to 2024 and 2024 to 2025 by considering the renewal application dated 07.01.2025 to run the Guest House in the premises bearing Door No.27, 1st Main Road, Moogambigai Nagar, Nainarmandapam, Pondicherry.

3. It is the case of the petitioner that he is running the Guest House in the premises bearing Door No.27, 1st Main Road, Moogambigai Nagar, Nainarmandapam, Pondicherry under the name and style of “ Puducherry Residency” after obtaining proper license in the name and style of his wife Zoulaikaby from the 1st respondent. The second respondent is the owner of the said property and the petitioner entered into a lease agreement dated 23.04.2023 with the 2nd respondent through his power agent Mrs. Vanitha.



W.P.No.7852 of 2025

WEB COPY

Subsequently, the 2nd respondent has given permission to run Guest House by executing No Objection Certificate dated 25.01.2024 since in the earlier agreement it was not specifically mentioned about the running of Guest House.

4. It is further case of the petitioner that though the lease period is mentioned as 11 months in the agreement, the 2nd respondent assured the petitioner that he would renew the lease every year periodically and at least about 5 years. In view of the assurance given by the 2nd respondent, the petitioner spent about a sum of Rs.25,00,000/- for partition and interior works and other amenities like AC, Cot and Bed and Furniture etc in the leased premises to run Guest House. The petitioner had paid the monthly rent regularly to the 2nd respondent. But the 2nd respondent disturbed the possession of the petitioner. Therefore, the petitioner has filed a suit in O.S.No.1780 of 2023 as against the 2nd respondent for injunction and the same is pending before the First Additional District Munsif Court, Puducherry. Thereafter, the 2nd respondent had sold the property to the 3rd respondent without his knowledge in order to cheat him and caused irreparable loss. The 1st respondent has issued license for the period from



W.P.No.7852 of 2025

WEB COPY

2023 to 2024 to run the Guest House which expires March 2024. Hence, the petitioner has given an application to the 1st respondent for renewal of license. On receipt of the same, the 3rd respondent has given a letter to revoke his license. Thereafter, the 1st respondent has received the renewal application on 07.01.2025. However, the 1st respondent did not consider the same till date. Hence, the petitioner has filed the present writ petition.

5. The learned Additional Government Pleader appearing for the 1st respondent submitted that since the property has been sold by the 2nd respondent to the 3rd respondent, the 3rd respondent had executed a lease agreement in favour of the petitioner. The petitioner had submitted the application for further period of renewal of license.

6. The learned Additional Government Pleader would further submit that enquiry has been initiated pursuant to the order dated 28.10.2024 passed by this Court in W.P.No.32147 of 2024 directing the first respondent to conduct enquiry to the petitioner and the second respondent and the 2nd respondent is the wife of the present writ petitioner and the next date of enquiry to be held during the 2nd week of March, 2025.



W.P.No.7852 of 2025

WEB COPY

7. Heard the learned counsel appearing on either side and also perused the materials available on records.

8. It is brought to the notice of this Court that the writ petition in W.P.No.32147 of 2024 filed by the present owner of the property namely, Mrs.Sankhari, 3rd respondent seeking a direction to the 1st respondent to consider the representation of the 3rd respondent herein dated 02.09.2024 for revocation of guest house license granted in favour of the present writ petitioner. In the above writ petition, this Court on 28.10.2024 issued a direction to the first respondent to conduct enquiry and pass orders on the representation of the petitioner and the relevant portion of the said order reads as under :-

“In view of the above, the first respondent is directed to issue notice to the petitioner and the 2nd 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”.



W.P.No.7852 of 2025

WEB COPY

J.SATHYA NARAYANA PRASAD,J.

kkd

9. In view of the above submissions made by the learned Additional Government Pleader appearing for the first respondent, the first respondent is directed to conclude the enquiry proceedings within a period of eight weeks from the date of receipt of a copy of this order.

10. This writ petition stands allowed with the above observations and directions. No costs.

06.03.2025

Index : Yes/No.
Internet : Yes/No.
Neutral Citation : Yes/No
Speaking : Non-speaking Order
kkd

To

The Commissioner
Pondicherry Municipality,
Kamban Kalai Arangam Bussy,



Pondicherry 605 001.
WEB COPY



W.P.No.7852 of 2025

W.P.No.7852 of 2025