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W.P.No.9831 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2025

CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.9831 of 2025
and W.M.P.Nos.11031 & 11032 of 2025

Rajendraprasad

... Petitioner

Vs.

The Commissioner,
Panchayat Union Kelamangalam,
Krishnagiri District.

... Respondent

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the impugned notification issued by the respondent in ந.க.எண்.485/2025/அ2 dated 07.03.2025 and direct the respondent to extend the lease period from April 2025-26 to March 2027-28 for the NREP Shop No.5 by considering the representation dated 13.03.2025 given to respondent.

For Petitioner : Mr.V.Karthikeyan

For Respondent : Mr.M.Rajendiran,
Additional Government Pleader

ORDER

This writ petition has been filed by the petitioner to call for the records



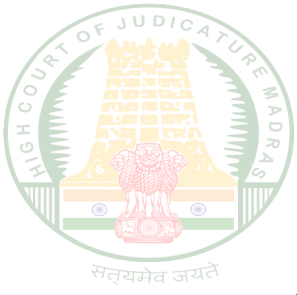
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pertaining to the impugned notification issued by the respondent in

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ந.க.எண்.485/2025/அ2 dated 07.03.2025 and direct the respondent to extend the lease period from April 2025-26 to March 2027-28 for the NREP Shop No.5 by considering the representation dated 13.03.2025 given to respondent.

2. The case of the petitioner is that he was the successful bidder for NREP Shop No.5, which was allotted upon payment of a security deposit, and has been running a Fancy Store in the said shop. The monthly rent was fixed as Rs.3,970/-. The respondent extended the lease period from April 2022 to March 2025. However, on 07.03.2025, the respondent issued Auction Notification No.485/2025/912 for the auction of NREP Shop No.1-15, fixing the auction date as 19.03.2025 at the respondent's office. Pursuant to which, the petitioner has submitted a representation on 13.03.2025, requesting extension of the lease period for three years with a rent increase as per norms, but the respondent has not considered the request till date. Further, the scheduled auction is proposed to be conducted on 19.03.2025 for the lease period from April 2025-26 to March 2027-28. Hence, the petitioner has come forward with the present writ petition.



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3. Learned counsel for the petitioner submitted that the impugned notification dated 07.03.2025 was notified only in the tamil daily called “Thinasuriyan” on 13.03.2025, which has wide circulation in the district of Madurai and not in the district of Krishnagiri. Further, no newspaper publication was effected in and around the district of Krishnagiri for the circulation of the aforesaid impugned notification.

4. Learned counsel for the petitioner would further submitted that this Court may direct the respondent to consider the petitioner's representation dated 13.03.2025 to extend the lease period from April 2025-26 to March 2027-28 for the NREP Shop No.05, within a time frame to be fixed by this Court.

5. Learned Additional Government Pleader appearing for the respondent has no objection for the said order being passed by this Court.

6. Heard the learned counsel on either side and perused the materials



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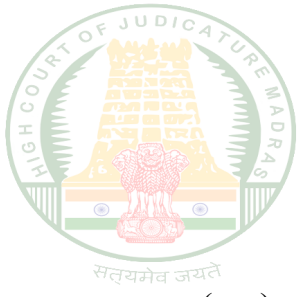
available on record.

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7. In view of the submission made by the learned counsel on either side, this Court directs the respondent to consider the above said representation of the petitioner dated 13.03.2025, after giving due notice to the petitioner, affording an opportunity of personal hearing, considering the documents filed by the petitioner on merits, in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.

8. It is made clear by this Court that till the disposal of the petitioner's representation dated 13.03.2025, the auction notification dated 07.03.2025 should be kept in abeyance. However, after passing the order in the petitioner's representation dated 13.03.2025, the respondent is at liberty to proceed with the auction in accordance with law.

9. This writ petition is disposed of with the aforesaid observation and direction. No costs. Consequently, connected miscellaneous petitions are closed.



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(vm)

Index : Yes/No

Speaking Order : Yes/No

Neutral Citation : Yes/No

Note: Issue order copy on 20.03.2025

To:

The Commissioner,
Panchayat Union Kelamangalam,
Krishnagiri District.



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J.SATHYA NARAYANA PRASAD,J.

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