



W.P.No.21443/2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 11.03.2025

CORAM

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

**W.P.No.21443 of 2021**

Little Flower Matriculation Higher Secondary School,  
Represented by its Correspondent,  
Krishnaveni Chid;ambaram

... Petitioner

vs.

1. The Government of Tamilnadu,  
Rep.by its Principal Secretary,  
Municipal Administration & Water Supply (M.C.I)  
Department,  
Fort St.George, Chennai 600 009.
2. The Greater Chennai Corporation,  
Represented by its Commissioner,  
Chennai 600 003.
3. The Joint Commissioner,  
(Revenue and Finance),  
The Greater Chennai Corporation,  
Chennai 600 003.
4. The Deputy Commissioner,  
(Revenue and Finance),  
The Greater Chennai Corporation,  
Chennai 600 003.
5. The District Revenue Officer,  
Land and Estates,  
The Greater Chennai Corporation,  
Chennai 600 003.

.. Respondents



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Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Certiorarified Mandamus calling for the records relating to G.O.(D)No.389 dated 30.09.2019 issued by the 1st respondent prescribing an exorbitant increase in the lease rent and the consequent demand letter dated 09.10.2010 with No.Ni.Ma.Vu.Thu.Na.Ka.No.LE4/46754/1984 issued by the 4th respondent increasing the monthly lease rent payable from Rs.19,902/- to Rs.1,52,634/- for the period from 01.04.2018 to 31.03.2020 for running the school in the 2nd respondent's land and quashing the same and consequently directing the 2nd respondent to receive enhanced monthly lease rent payable @ 15% more than Rs.19,902/- which was paid as monthly lease rent as on 31.03.2018.

For Petitioner : Mr.K.Elango

For R1 : Mr.M.S.Pream Kumar  
Govt.Advocate

For R2 to R5 : M/s.P.T.Ramadevi  
Standing Counsel

### **ORDER**

The present writ petition has been filed challenging the impugned order dated 30.09.2019 of the 1st respondent and demand letter dated 09.10.2010 of the 4th respondent and consequential direction to the 2nd

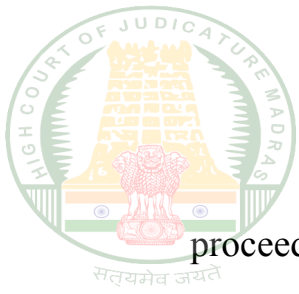


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respondent to receive enhanced monthly lease rent payable @ 15% more than Rs.19,902/- which was paid as monthly lease rent as on 31.03.2018.

2. It is the case of the petitioner that the petitioner school is running by a Society by name " Service Society of South India" which has been registered on 06.09.1980 as S.No.200 of 1980 under the Tamil nadu Societies Registration Act, 1975. On 03.12.1980, the 2<sup>nd</sup> respondent handed over vacant land measuring 5 grounds and 0785 sq.ft.of land on lease for 10 years for the purpose of running the school. The 5<sup>th</sup> respondent through his letter dated 11.12.1989 re-fixed the lease rent for the entire extent of land for a block period of two years starting from 03.12.1980 to 02.12.1982 at Rs.400/- per month and last block period of two years was from 03.12.1988 to 2.12.1990 at R.5893/- per month. The then correspondent of the petitioner school made an appeal before the first respondent to consider and to re-fix a fair lease rent. The 2<sup>nd</sup> respondent had also recommended that the request made by the petitioner to the 1<sup>st</sup> respondent could be considered. Pursuant to the same, the 1<sup>st</sup> respondent through G.O.Ms.No.201 dated 13.08.1993 re-fixed the lease rent at Rs.100/- per ground for the land occupied by the petitioner. Based on the resolution dated 29.10.1999 of the Council, the 2<sup>nd</sup> respondent vide

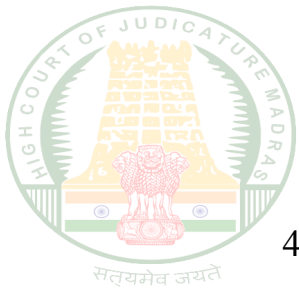


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proceedings allotted a larger extent of land measuring 12 grounds and 1575 sq.ft. On lease for 3 years at the rate of Rs.1200/- per month per ground.

Against the proceedings dated 16.02.2000 of the 1<sup>st</sup> respondent, the petitioner filed an appeal before the 1<sup>st</sup> respondent requesting him to reduce the lease rent.

3. It is the further case of the petitioner that the petitioner has paid the entire lease rent, compensation and the GST upto 31.03.2018. The 4<sup>th</sup> respondent vide impugned demand letter dated 09.10.2010 has demanded payment of Rs.5223,150/- for the period from 01.04.2018 to 31.08.2020 as lease rent and GST. Hence, the petitioner sent a representation dated 15.10.2020 to the 4<sup>th</sup> respondent explaining her position and requested him to consider the lease rent fixed and appealed to him to permit her to continue with the lease amount of Rs.2,29,109/- per year. On receipt of the said representation, the 5<sup>th</sup> respondent through his letter dated 09.06.2021 stating that the school has to pay a sum of Rs.64,83,892/- lease rent, compensation and service tax for the period from 01.04.2018 to 31.03.2021 ( 36 months). Aggrieved by the same, the petitioner has been filed the present writ petition.



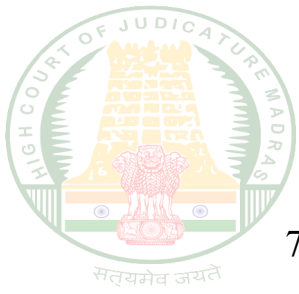
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4. The learned Standing Counsel appearing for the respondents 2 to 5

submitted that the already first respondent has given a letter No.167/M.C.2/2025-2 dated 22.01.2025 to the 2<sup>nd</sup> respondent to take appropriate action in regard to the petitioner's matter. Pursuant to the above letter, proposal will be sent by the second respondent to the first respondent, and the same will be considered by the first respondent on merits and in accordance with law, within a time frame stipulated by this Court.

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

6. In view of the submissions made by the learned counsel on either side, the second respondent is directed to send a proposal to the first respondent. On receipt of such proposal, the first respondent is directed to consider the same, on merits and in accordance with law and pass appropriate orders, within a period of six weeks from the date of receipt of a copy of thi order.



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7. This writ petition is disposed of with the above observation. No

costs.

27.02.2025

Index : Yes/No.

Internet : Yes/No.

Neutral Citation : Yes/No

Speaking : Non-speaking Order

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**To**

1. The Government of Tamilnadu,  
Rep.by its Principal Secretary,  
Municipal Administration & Water Supply (M.C.I)  
Department,  
Fort St.George, Chennai 600 009.
2. The Greater Chennai Corporation,  
Represented by its Commissioner,  
Chennai 600 003.
3. The Joint Commissioner,  
(Revenue and Finance),  
The Greater Chennai Corporation,  
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4. The Deputy Commissioner,  
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5. The District Revenue Officer,  
Land and Estates,  
The Greater Chennai Corporation,  
Chennai 600 003.



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**J.SATHYA NARAYANA PRASAD,J.**

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