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W.P.No.21277 of 2025

IN THE HIGH COURT AT JUDICATURE AT MADRAS

DATED: 17.06.2025

CORAM

THE HON'BLE MRS.JUSTICE N.MALA

W.P.No.21277 of 2025

S. Manavalan

...Petitioner

Vs.

1.Municipal Commissioner
Nagapattinam Municipality,
Nagapattinam.

2. District Collector,
Collectorate,Nagapattinam

3. Director of Municipal Administration
Directorate of Municipal Administration,
No.75, Urban Administrative Building,
Santhome High road, MRC Nagar,
Raja Annamalaipuram,Chennai- 600 028.

4. Government of Tamilnadu,
represented by its Secretary,
Municipal Administration and
Water Supply Department,
Fort St. George, Chennai – 600 009.

5. S. Elangovan

...Respondents



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Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to consider the representation dated 18.02.2025 and transfer the lease with respect to the Shop No.25D of an extent of 200 Sq.Ft (10x20) from the name of the deceased mother of the petitioner by name Paramayee to and infavour of the petitioner an the 5th respondent as per the terms of the G.O.(MS)No. 92 dated 03.07.2007 and renew the lease for further period of three years and pass orders.

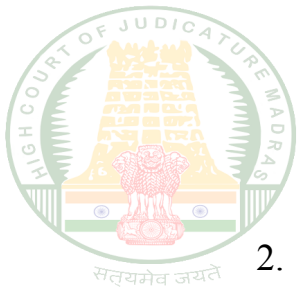
For Petitioners : Mr.S. Sadashram

For Respondents 1, 3and4: Dr.T. Seenivasan,
Special Government Pleader

For Respondent 2 : Mr.M. Shajakhan,
Special Government Pleader

ORDER

Dr.T. Seenivasan,, Special Government Pleader takes notice for the first,third and fourth respondents. Mr.M. Shajakhan, Special Government Pleader takes notice for the second respondent



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

3. This writ petition is filed directing the first respondent to consider the representation dated 18.02.2025 and transfer the lease with respect to the Shop No.25D of an extent of 200 Sq.Ft (10x20) from the name of the deceased mother of the petitioner by name Paramayee to and infavour of the petitioner and the 5th respondent as per the terms of the G.O.(MS)No. 92 dated 03.07.2007 and renew the lease for further period of three years.

4. The petitioner's mother took the shop No.25D of an extent of 200 Sq.Ft (10x20) on monthly rent, on the basis of the No objection certificate issued by the Andanpettai Multipurpose co-operative Industrial Society limited, on 16.10.2015. The petitioner's mother died on 12.05.2021, bequeathing equal shares in the lease in respect of the shop to the petitioner as well as the 5th respondent, under a registered will dated 04.09.1997. Hence, the petitioner submitted a representation to the first respondent on 18.02.2025, seeking transfer of the lease in respect of the said shop in his favour. As the first



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respondent did not taken any action, the petitioner was constrained to file the above writ petition for the above said relief.

5. The learned counsel for the petitions submits that the lease in favour of the petitioner's mother late S.Paramayee is not disputed by the respondents. He further submits that the petitioner and his brother, the 5th respondent were entitled to transfer of the lease under the will of their mother. The counsel therefore prayed for a direction to the first respondent to pass orders on the representation of the petitioner dated 18.02.2025, within a time frame and in terms of the G.O.(MS)No. 92 dated 03.07.2007.

6. Considering the limited prayer sought for by the petitioner's counsel, this Court without going into the merits of the case, directs the first respondent to consider and pass orders on the petitioner's representation dated 18.02.2025, in the light of the G.O.(Ms).No.92 dated 03.07.2007, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.



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7. Accordingly, this writ petition is disposed of. However, there shall be no order as to costs.

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Index: Yes/No

Speaking order: Yes/No

Neutral Citation: Yes/No

To.

1. Municipal Commissioner
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2. District Collector,
Collectorate, Nagapattinam

3. Director of Municipal Administration
Directorate of Municipal Administration,
No.75, Urban Administrative Building,
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4. Government of Tamilnadu,
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N.MALA,J.

smn

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