



W.P.No.26503 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2025

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CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.26503 of 2016
and W.M.P.No.22715 of 2016

The Managing Director,
State Express Transport Corporation,
No-2, Pallavan Salai,
Chennai.

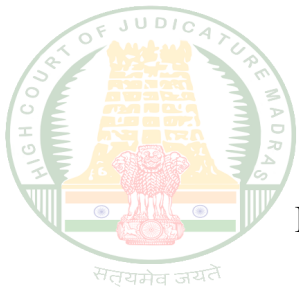
... Petitioner

Vs.

The Commissioner/Member Secretary,
Comite De Bienfaisance,
Puducherry Municipality,
Puducherry.

... Respondent

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Declaration declaring that the order of the No.54/Pm/CB/66-19/SPC/2010-15 dated 25.04.2016, is illegal by holding that the petitioner is a lawful tenant in the Survey No.134/1 Part 137 and 138 of the Puducherry and the Respondent is bound to accept the payment of Rs.1,05,915/- long with 10% annual increase for 3 year once, as a yearly lease amount, as per the mutual agreement dated 25.01.2010, held between the Government of Tamil Nadu & Pudhucherry in the presence of their representatives & to.



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For Petitioner : Mr.L.S.M.Hasan Fizal

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For Respondent : Mr.V.Vasantha Kumar,
Additional Government Pleader

ORDER

This writ petition has been filed by the petitioner to declare that the order of the No.54/Pm/CB/66-19/SPC/2010-15 dated 25.04.2016, is illegal by holding that the petitioner is a lawful tenant in the Survey No.134/1 Part 137 and 138 of the Puducherry and the Respondent is bound to accept the payment of Rs.1,05,915/- long with 10% annual increase for 3 year once, as a yearly lease amount, as per the mutual agreement dated 25.01.2010, held between the Government of Tamil Nadu & Pudhucherry in the presence of their representatives & to.

2. The case of the petitioner is that the petitioner is a State Transport Undertaking, challenges the order dated 25.04.2016 (No. 54/PM/CB/66-1/SPC/2010-15) issued by the Respondent, directing to vacant the depot land in Pondicherry measuring of 54,254 sq.ft., which was leased under an



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agreement between the Governments of Tamil Nadu and Puducherry. The petitioner had originally leased 66,324 sq.ft. for establishing a bus depot and, following a High Court order in W.P.No.1534 of 2009, a meeting was convened, and the petitioner retained 54,254 sq.ft., requesting a proportional rent reduction to Rs.1,05,915/-. The respondent accepted the revised lease rent at Rs. 1,16,506/- from 01.09.2010, with a 10% hike every three years, and the petitioner paid Rs.7,13,198/- towards arrears up to 31.08.2015. However, the respondent issued a fresh notice stating that the land is now required for a Multi-Level Parking and Shopping Complex and would be taken over on 01.09.2016, prompting the present challenge.

3. Learned Additional Government Pleader appearing for the respondent submitted that there is no interim order at the time of admission and the petitioner is paying the enhanced rent regularly and as of now, the petitioner is in occupation of the aforesaid land.

4. Learned Additional Government Pleader appearing for the respondent further submitted that pursuant to the order of this Court dated



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03.12.2024, negotiation talks were held between the Chief Secretary, State of Tamil Nadu and Chief Secretary, Union Territory of Puducherry and the issue may be amicably settled between the parties.

5. Heard the learned Additional Government Pleader appearing for the respondent and perused the materials available on record.

6. In view of the above submission made by the learned Additional Government Pleader appearing for the respondent, nothing survives in this writ petition for further adjudication.

7. Accordingly, this writ petition stands closed. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes/No
Speaking Order : Yes/No

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Neutral Citation : Yes/No

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To:

The Commissioner/Member Secretary,
Comite De Bienfaisance,
Puducherry Municipality,
Puducherry.



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