



W.P.(MD) No.8929 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.09.2025

CORAM:

THE HONOURABLE Ms.JUSTICE P.T.ASHA

W.P.(MD) No.8929 of 2018
and W.M.P(MD).Nos.8334 and 8335 of 2018

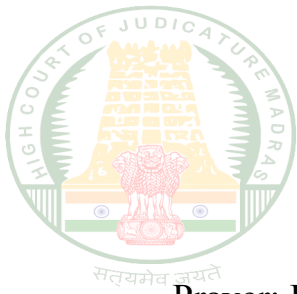
- 1.R.Kannan
- 2.V.P.Raman
- 3.G.Balasubramanian
- 4.P.Thangaraju
- 5.K.Subramani
- 6.S.Challem
- 7.Selva Ganesh
- 8.E.Sivaraj
- 9.V.Thangamani

... Petitioners

-VS-

- 1.The District Collector,
Madurai District.
- 2.The Assistant Director,
Village Panchayat,
Madurai District.
- 3.The Commissioner,
Kottampatti Village Panchayat Union,
Kottampatti, Melur Taluk,
Madurai District.
- 4.The Special Officer/Block Development Officer,
Kottampatti Village Panchayat,
Kottampatti, Melur Taluk,
Madurai District.

... Respondents



W.P.(MD) No.8929 of 2018

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the advertisement issued by the fourth respondent in Na.Ka.No.155/2018/The.1 dated 02.04.2018 published in Malai Malar dated 08.04.2018 Madurai Edition, quash the same and consequently direct the respondents to extend the lease for a further period of three years on the enhanced rent requested by the petitioner by their representation dated 18.01.2018.

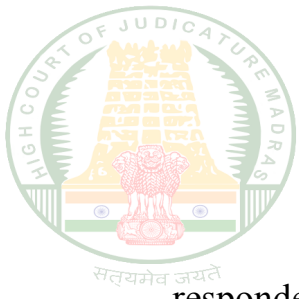
For Petitioners : Mr.R.Paranjothi
For Respondents : Mr.D.Sasikumar
Additional Government Pleader
(For R1 & R2)
No appearance (For R3 & R4)

ORDER

Challenging the advertisement issued by the fourth respondent in 'Malai Malar' dated 08.04.2018 calling for bidders for lease of the property in question, the petitioners are before this Court and seeks a consequential direction to the respondents to extend the lease in their favour.

2. The brief facts are as follows:

2.1 The petitioners are the lessees of the shops situated in Kottampatti Bus Stand, Melur Taluk, Madurai District, which are under the control of the fourth

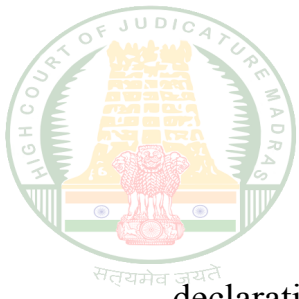


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respondent. The petitioners and other similarly persons have been running their respective shops for more than 12 years and had been remitting the rent without fail to the fourth respondent. In the year 2015, the fourth respondent Panchayat passed resolution extending their lease for a further period from 2015 to 2018. Accordingly, the petitioners continued their business in their respective shops. Since the lease period is coming to end, the petitioners sent a representation on 17.01.2018 to the third respondent requesting to continue their occupation of their respective shops. The fourth respondent instead of renewing the lease, has issued the impugned advertisement. Aggrieved over the same, the petitioners are before this Court.

3. The learned counsel for the petitioners would submit that advertisement has been published when the lease between the petitioners and the fourth respondent was subsisting. The same is bad in law.

4. Per contra, the learned Additional Government Pleader would submit that the petitioners 1 to 3 and 5 to 7 had also filed suits in O.S.Nos.156, 164, 154, 152, 153 and 157 of 2016 on the file of the District Munsif Court, Melur, seeking



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declaration that they are the lawful tenants under the fourth respondent and that they should not be dispossessed until March 2018, which is the lease period. The said suits were decreed on 13.10.2017 and no steps were taken to evict the lessees during the lease period as fixed by the civil Court. It was only thereafter that the advertisement inviting the bidders for a fresh lease was issued. The petitioners cannot, as a matter of right, seek to continue in possession of the property after the expiry of the lease period and they cannot prevent the respondents from calling for fresh bids for lease of the property, more particularly when in the suit they have themselves requested that they should not be disturbed till March 2018.

5. In the light of the above submission of the learned Additional Government Pleader and since the respondent has complied with order of the civil Court by not disturbing the petitioner till March 2018, there is no error in issuing the impugned advertisement. Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

04.09.2025

NCC : Yes/No
Index : Yes/No
Rmk



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To

- 1.The District Collector,
Madurai District.
- 2.The Assistant Director,
Village Panchayat,
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P.T.ASHA, J.

Rmk

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