



IN THE HIGH COURT OF JUDICATURE AT MADRAS

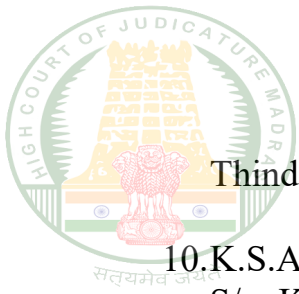
DATED: 02-06-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

**WP No. 7278 of 2019 and
WMP.No.7988 of 2019**

1. S.A.Ameed
S/o. AbdulKathar, Shop No. 1 Arcot-
Thindivanam Road, Vandavasi – 604408.
2. V.Santhi,
W/o. Vishvanathan, Shop No. 2, Arcot-
Thindivanam Road, Vandavasi – 604408.
3. D.Sheik Hussain,
S/o. Sheik Dawood, Shop No. 3 Arcot-
Thindivanam Road, Vandavasi – 604408.
4. Jakkir Hussain,
S/o. Late. Jamal, Moideen, Shop No. 4, Arcot-
Thindivanam Road, Vandavasi – 604408.
5. A.Settu,
S/o. Abdul Kadhar, Shop No. 5, Arcot-
Thindivanam Road, Vandavasi – 604408.
6. Nasreen,
D/o. Late. Piyaru John, Shop No. 6, Arcot-
Thindivanam Road, Vandavasi – 604408.
7. S.Senthil Kumar,
S/o. Late. Mr.S.Sivagnanam, Shop No. 7,
Arcot-Thindivanam Road, Vandavasi – 604408.
8. a.Ameetha Beevi,
D/o. Hasha Moideen, Shop No. 8 and 9, Arcot-
Thindivanam Road, Vandavasi – 604408.
9. K.Johni Basha,
S/o. Kasim Sayapu, Shop No. 10, Arcot-



Thindivanam Road, Vandavasi – 604408.

10.K.S.Ali,

S/o. Kasimsayapu, Shop No. 11, Arcot-
Thindivanam Road, Vandavasi – 604408.

11.Y.Nasee,

S/o. Yacub Sahib, Shop No. 12, Arcot-
Thindivanam Road,
Vandavasi – 604408.

12.C.Venkatesan,

S/o. Chinnathambi, Shop No. 13, Arcot-
Thindivanam Road, Vandavasi - 604408

13.R.Arunachalam,

S/o. Rajamanickam, Shop No. 14, Arcot-
Thindivanam Road, Vandavasi – 604408.

14.A.Nawab John,

S/o. John Abdul Jaleel, Shop No. 1,
J.V.T.Shops, Vandavasi - 604408

15.K.S.Kaleel,

S/o. Suggur Sayabu, Shop No. 2, J.V.T.Shops,
Vandavasi – 604408.

16.M.Mohammed Sabi,

S/o. Mohammed Ishap. Shop No. 3,
J.V.T.Shops, Vandavasi – 604408.

..Petitioners

Vs

1. The Secretary to Government,
Municipal Administration and Water Supply
Department, Fort St. George,
Chennai – 600009.
2. The Regional Director of Municipal
Administration,
Sarathi Nagar, Kakithaipatturai,
Vellore – 600012.



3. The Municipal Commissioner,
Vandavasi Municipality,
Thiruvannamalai District.

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..Respondents

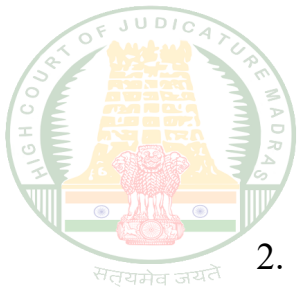
Writ Petition filed under Article 226 of Constitution of India seeking for issuance of Writ of Certiorarified Mandamus Calling for the records relating to the impugned Order/ Notices bearing Na.Ka.No. 2360/ 2016/ A1 dated 15.03.2017 and consequential Arrears Notices dated 21.02.2019 issued to the Petitioners on the file of the 3rd respondent and to quash the same as illegal, incompetence and without jurisdiction and further direct the 3rd respondent to fix the rent in consonance with G.O.No. 92, dated 03.07.2007 on the file of the 1st respondent.

For Petitioner: Ms.D.Kamachi

For Respondents: Mr.M.Sivavarthanan
Government Counsel

ORDER

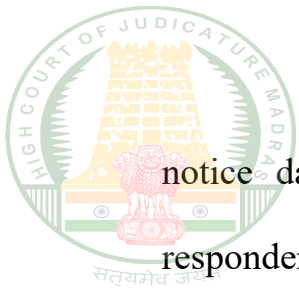
This Writ Petition has been filed challenging the impugned notices dated 15.03.2017 and consequential arrears notice dated 21.09.2019 issued to the Petitioners on the file of the 3rd respondent and to quash the same as illegal, incompetence and without jurisdiction and further direct the 3rd respondent to fix the rent in consonance with G.O.No. 92, dated 03.07.2007 on the file of the 1st respondent.



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2. The case of the petitioners is that they are small vendors involved in vegetables, fruits, flowers, tea business and they are the lessees of the shops owned by the 3rd respondent Vandavasi Municipality. The 1st respondent herein passed G.O.No.92 by forming guidelines for fixation and enhancement of rents/license fee for the shops leased out by the Municipality to various small vendors. Based on the said G.O., the 3rd respondent herein fixed rent for the petitioners' shops with 15% enhancement and the lease period was existing till 31.03.2018. Whiles, suddenly, the 3rd respondent issued notice dated 15.03.2017 to the petitioners by enhancing the license fee/rent for the shops by 500% to 600%.

2.1. The petitioner had given a representation on 03.05.2017 to the 3rd respondent stating that the enhancement would have done only from 01.04.2017 and the 3rd respondent without issuing a written order, verbally stated that they will not take any action against the petitioners, despite which the 3rd respondent suddenly issued arrears notice dated 24.07.2018 and 17.07.2018 to the petitioners herein claiming them to pay arrears from November 2017. When the petitioner approached the 3rd respondent and explained their case, the 3rd respondent assured the petitioners that they will take necessary steps to withdraw the rent enhancement notice dated 15.03.2017 officially and the petitioners may ignore the same and continue to pay the old rent as fixed in the



notice dated 21.02.2019. Based on the said assurance given by the 3rd respondent, the petitioners are continuing to pay the existing rents. While being so, suddenly the 3rd respondent had issued another arrears Notice dated 21.02.2019 to the petitioners claiming that they should pay the arrears from June 2017-2018. The said notice as well as the notice dated 15.03.2017 are impugned in this Writ Petition.

3. The learned counsel for the petitioners would submit that in similar circumstances the Division Bench of this Court in a batch of Writ Appeals in W.A.Nos.1806 and 1807 of 2018 vide order dated 25.07.2018, had set aside the impugned notice for the reason that the rent has been enhanced without forming a monitoring committee and without giving an opportunity to the petitioners before fixing the rents and therefore based on the same, he requests this Court to set aside the impugned notices.

4. The learned Government Counsel by reiterating the averments made in the counter affidavit filed by the 3rd respondent would submit that the rent fixed is in accordance with the prevailing market value and it cannot be said to be on the higher side and that apart the fixation of rent is in consonance with G.O.Ms.No.92 dated 03.07.2007 and the enhancement is intended to augment the income of the municipality. Further, he would submit that the basic rent will be refixed once in 9 years in accordance with the prevailing market value of



the property and therefore the petitioners cannot be expected to pay the same lease rent which they paid 9 years ago. He therefore prays for dismissal of this Writ Petition.

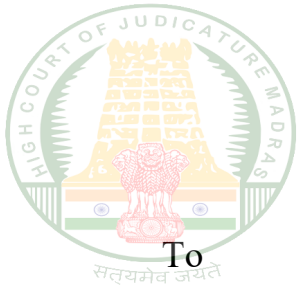
5. Heard both sides. Perused the records.

6. A perusal of the order passed by the Division Bench of this Court on 25.07.2018 in W.A.Nos.1806 and 1807 of 2018, shows that the Division Bench of this Court had directed the expert committee to refix the correct rent with respect to the subject property therein and therefore the petitioners can also approach the respondents for refixation of the correct rent with respect to the subject properties, based on the order passed by the Division Bench.

In such view of the matter, without interfering with the impugned notices, this Writ Petition stands dismissed with liberty to the petitioner to approach the respondents for refixation of the rent. No costs. Consequently, connected Miscellaneous Petition is closed.

02-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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To

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1. The Secretary to Government,
Municipal Administration and Water Supply Department, Fort St. George,
Chennai – 600009.
2. The Regional Director of Municipal Administration,
Sarathi Nagar, Kakithaipattarai, Vellore - 600012



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WP No. 7278 of 2



M.DHANDAPANI, J.

arr

WP No. 7278 of 2019

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WP No. 7278 of 2

