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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2026

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THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

WP Nos.12422 & 12433 of 2026

and

WMP Nos.13586, 13588, 13604 & 13605 of 2026

WP No. 12422 of 2026

R.Rajesh

..Petitioner

Vs

The Commissioner
Ulundurpet Municipality,
Ulundurpet, Kallakurichi District.

..Respondent

WP No. 12433 of 2026

D.Elumalai

..Petitioner

Vs

1. The Commissioner,
Ulundurpet Municipality,
Ulundurpet, Kallakurichi District.

2. The District Manager,
Tamil Nadu Adi Dravidar Housing
and Development Corporation Ltd,
(THADCO), Kallakurichi District.

..Respondents

For Petitioner:
(in both WPs)

Mr.V.Ragupathy

For Respondent(s):
(in both WPs)

Dr.T.Seenivasan
Special Government Pleader



COMMON ORDER

The petitioners have challenged the impugned notices, both dated 23.02.2026, issued by the respective respondents, calling upon the petitioners to vacate and handover the possession of the premises.

2.The petitioners relied upon an order dated 11.12.2025 passed by this Court in W.P.No.10410 of 2025 and would submit that the petitioners are entitled for preferential allotment of the shops in the newly constructed building complex. However, the petitioners have admitted that they have not paid the entire rental arrears. On the last hearing date i.e., on 02.04.2026, the learned counsel for the petitioners, on instructions, had submitted that the respective petitioners are willing to file an affidavit of undertaking to pay the arrears of rent before this Court for the respective shops, within a period of four weeks from the date of filing of the affidavit of undertaking. This Court had also recorded the fact as submitted by the learned Special Government Pleader appearing for the respective respondents in its order dated 02.04.2026 that the building is yet to be demolished and in a month or so, the same will be demolished and re-constructed.

3.Since no prejudice would be caused to the respondents if a direction is issued to the petitioners to pay the arrears of rent as per the affidavit of undertaking to be submitted by the respective petitioners within a period of four



weeks from the date of filing of the affidavit of undertaking before this Court, this Court directed the respective petitioners to file the affidavit of undertaking as recorded in this Court's earlier order dated 02.04.2026.

4. Accordingly, the respective petitioners have filed an affidavit of undertaking dated 08.04.2026, before this Court, undertaking to pay the arrears of rents to the respondents within a period of four weeks from today.

5. Learned Special Government Pleader appearing for the respondents would submit that once elections are completed, the building will be demolished and the reconstruction would commence. Hence, he would submit that four weeks time is too long a period for the respective petitioners to pay the arrears of rent to the respondents.

6. Learned counsel for the petitioners, on instructions, now submit that the petitioners are willing to pay the arrears of rent within a period of two weeks from the date of receipt of a copy of this order.

7. The said undertaking given by the petitioners is recorded, though in the affidavit of undertaking dated 08.04.2026 filed by the respective petitioners before this Court, it has been stated that the respective petitioners will pay the arrears of rent within a period of four weeks. In the affidavit of undertaking



dated 08.04.2026 filed by the respective petitioners, the respective petitioners have also undertaken to handover vacant possession of the respective premises to the respondents within a period of four weeks.

8. Accordingly, these Writ Petitions are disposed of by directing the respective petitioners to pay the arrears of rent to the respondents within a period of two weeks from the date of receipt of a copy of this order and they are also directed to hand over vacant possession of the respective premises to the respondents, within a period of four weeks from the date of receipt of a copy of this order. On compliance with the aforesaid directions, the petitioners shall be granted preferential allotment of the shops as per the statutory rules. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

09-04-2026

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To

1. The Commissioner,
Ulundurpet Municipality,
Ulundurpet, Kallakurichi District.
2. The District Manager,
Tamil Nadu Adi Dravidar Housing
and Development Corporation Ltd,
(THADCO), Kallakurichi District.



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ABDUL QUDDHOSE J.

GSA

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