2026:MHC:4751

Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

WP No. 41876 of 2026

CNR:{HCMA012374562026}

AND

WMP NO. 46979 OF 2026

Case QR

S.M.Gurusamy Nadar
Secretary, Virdhachalam Perunthu Nilaya Vadagai
Kadai Urimaiyalargal Nala Sangam,
At No.28 Bus Stand, Virdhachalam,
Cuddalore District- 606 001.

..Petitioner(s)

Vs

1. The Additional Chief Secretary
   Municipal Administration and Water Supply
   Department, Government of Tamilnadu,
   Fort St. George, Chennai-09.

2. The Commissioner
   Virdhachalam Municipality,
   Virdhachalam, Cuddalore District.

..Respondent(s)

Prayer: Petition filed under Article 226 of Constitution of India for issuance of writ of mandamus calling upon the production of records relating to the order dated 05.08.2026 made in Na.ka.No.4080/2026/A1 passed by the 2nd respondent herein, quash the same and direct the respondents to grant waiver of rent by implementing the order of this Court dated 13.12.2021 made in W.P.No.25684 of 2021.

For Petitioner(s): Mr.S.Senthilnathan

For Respondent(s): Dr. R Gouri, for R1
Special Government Pleader

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Mr.P.Srinivas, for R2
Standing counsel

ORDER

This Petition has been filed seeking a direction for the production of records relating to the order dated 05.08.2026 made in Na.ka.No.4080/2026/A1 passed by the 2nd respondent herein, to quash the same and direct the respondents to grant waiver of rent by implementing the order of this Court dated 13.12.2021 made in W.P.No.25684 of 2021.

2.Challenging the impugned order dated 05.08.2026, the learned counsel for the petitioner made a claim for waiver of rent during the COVID-19 period from March to September 2020. The learned counsel for the petitioner relied upon the order of this Court dated 13.12.2021 made in W.P.No.25684 of 2021, wherein it has been observed as follows:

> *13.In that view of the matter, this Court is inclined to dispose of this writ petition with the following orders:*
>
> *(i) That there shall be a direction to the 3rd respondent to give waiver for payment of rent by the members of the petitioner during the lockdown period of the first wave of Covid-19 during the months of March to September 2020 on par with the decision taken by the CMDA, i.e., from 25.03.2020 to 06.09.2020.*

3.The learned standing counsel for the 2nd respondent filed a counter

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affidavit and submitted that the Government has issued G.O.(D).No.337 dated 16.06.2023, granting waiver of rent for particular Municipalities and Corporations where the shops had been verified to have been closed during the said lockdown periods. The number of municipalities for which the waiver had been granted was 80 out of 138 Municipalities and 18 out of 20 Corporations. The above Government Order has been issued with regard to particular Municipalities for which the waiver was granted and since the 2nd respondent herein was not mentioned in the proposal submitted before the Government, the 2nd respondent has not been able to grant the waiver of rent for the shops, which are licensed by the 2nd Respondent.

4.Heard the learned counsel on either side. The petitioner is also coming under the same category as that of the petitioners in W.P.No.25684 of 2021. Therefore, the order dated 05.08.2026 made in Na.ka.No.4080/2026/A1 passed by the 2nd respondent is hereby quashed and the Writ Petition is allowed in terms of the order passed by this Court in W.P.No.25684 of 2021 dated 13.12.2021. No costs. Consequently, connected Miscellaneous Petition is also closed.

17-11-2026

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

sai

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N.SENTHILKUMAR J.
sai

To

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1.The Additional Chief Secretary
Municipal Administration and Water Supply Department,
Government of Tamilnadu,
Fort St. George, Chennai-09.

2.The Commissioner
Virdhachalam Municipality,
Virdhachalam, Cuddalore District.

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