

W.P.(MD)No.14936 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **05.06.2026**

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P(MD) No. 14936 of 2026

and

W.M.P(MD)Nos.11237 and 11238 of 2026

M.Saraswathi

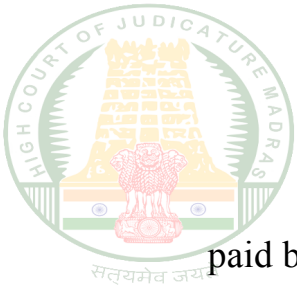
.. Petitioner

- Vs. -

The Commissioner,
Tirunelveli City Municipal Corporation,
S.N.High Road,
Tirunelveli Town,
Tirunelveli 627 001.

.. Respondent

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus calling for the records of the impugned Demand Notice No.nil, dated 24.04.2026 issued by the respondent and quash the same as illegal and consequently direct the respondent to refix the rent at the rate of Rs.140/- per sq ft per month as directed by the Hon'ble Supreme court of India in respect of other shopkeepers in the order dated 13.12.2023 passed in SLP(C) No. 27248-27249 of 2023 and further to direct the respondent to adjust the excessively collected rental amount from the petitioner for March, 2021 and April 2022 to June 2022 towards future rental to be



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paid by the petitioner within the time limit to be fixed by this Court.

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For Petitioner(s) : Mr.S.Krishna Kumar

**For Respondent(s) : Mr.A.Sivanupandian
Standing Counsel**

ORDER

The petitioner challenges the demand notice dated 24.04.2026 issued by the sole respondent, whereby the petitioner has been called upon to remit a sum of Rs.13,67,029/- towards arrears of rent in respect of Shop No.73 situated in the MGR New Bus Stand, Tirunelveli.

2. The respondent had proposed enhancement of the lease rent to Rs.225/- per sq. ft. Aggrieved thereby, the leaseholders approached this Court. Though the writ petitions were allowed by the learned Single Judge, the said orders were set aside by the Division Bench. Challenging the judgment of the Division Bench, the leaseholders have preferred Special Leave Petition (Civil) No.27248 of 2023 before the Hon'ble Supreme Court, which is stated to be pending consideration.



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3. The Apex court vide order dated 13.12.2023 in S.L.P.(c)No.

27248-27249 of 2023 passed the following order:

“The petitioners are leaseholders of shops from the Tirunelveli Municipal Corporation and are aggrieved by the demand for enhanced by the Corporation. lease rental @ Rs 225/- per sq.ft. demanded 13 High Court refused to grant relief to the lessees under the impugned judgment with the observation that for the 130 shops, 97 existing leaseholders have accepted the enhanced monthly rate and only the remaining 33 lessees have filed the Writ Petition. Assailing counsel. Ma Haripriya Padmanabhan and Mr. Abir Phukan, learned the above, Mr. Jayanth Muthural, learned senior counsel submit that out of those 97 leaseholders who have reportedly accepted the enhanced monthly rate, most of them have filed suit with the projection that they were coerced to accept the enhanced market rate. It is further submitted that the Municipal Corporation could not secure any person willing to pay the demanded lease rate of Rs 225/- per sq.ft. and therefore, the Corporation on their own have reduced the lease rental to a much lower rate for the first floor shops. The petitioners are willing to match the reduced rate of Rs. 140/- per sq.ft. Issue notice,



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returnable in four weeks. The petitioners have agreed and subject to their furnishing individual undertaking to pay @ Rs. 140 per sq.ft. within three weeks' time, the leaseholders shall not be dispossessed from the respective shops."

4. In identical circumstances, a Coordinate Bench of this Court, by order dated 12.08.2025 in W.P.No.21972 of 2025 and connected matters, directed the petitioners therein to pay rent at the rate of Rs.140/- per sq. ft. for the entire relevant period within thirty days. It was further directed that the balance amount, if any, shall abide by the outcome of S.L.P.(C) Nos.27248–27249 of 2023 and S.L.P.(C)Nos.27739–27756 of 2023 pending before the Hon'ble Supreme Court.

5. The present writ petition is liable to be disposed of in terms of the aforesaid order. Accordingly, the impugned demand notice is modified, and the respondent is directed to reassess the rent payable by the petitioner at the rate of Rs.140/- per sq. ft. for the period from June 2022 to November 2025, subject to the outcome of the aforesaid Special Leave Petitions pending before the Hon'ble Supreme Court. Any excess amount already paid by the petitioner shall be adjusted towards future rent payable by the petitioner.



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6. With the above directions, the writ petition stands disposed of.

No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

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Index :Yes / No
NCC :Yes / No
PJJ

To

The Commissioner,
Tirunelveli City Municipal Corporation,
S.N.High Road,
Tirunelveli Town,
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HEMANT CHANDANGOUDAR, J.

PJL

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