



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NOS.40 & 41 OF 2022

MGM Entertainments Private Limited,
Represented by its Director Finance & Operations,
Mr.A.LaxmanaPerumal,
"MGM" Centre, No.1, 9th Street,
Dr.Radhakrishnan Salai, Mylapore,
Chennai-600 004.Petitioner in both W.Ps

Vs.

1.The State of Tamil Nadu,
Represented by the Principal Secretary to Government,
Tourism, Culture and Religious
Endowments Dept.,
Fort St. George, Chennai-600 009.

2.The Tamil Nadu Tourism Development Corporation Ltd.,
Rep. By its Assistant Chief Manager (Hotels),
Tamil Nadu Tourism Complex,
No.2, Wallajah Road,
Chennai- 600 009.Respondents in both W.Ps

Prayer in W.P.No.40 of 2022 : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to grant a waiver of a sum of Rs.12,22,346/- being the amount due from the petitioner towards the 15th year and extended period of lease.

Prayer in W.P.No.41 of 2022: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to grant a waiver of a sum of Rs.20,48,208/- being the amount due from the petitioner towards the 15th year and extended period of lease.

For Petitioner : Mr.A.Suresh
in both W.Ps

For Respondents : Mr.P.Gurunathan
in both W.P.s Additional Government Pleader



C O M M O N O R D E R

The petitioner has filed these writ petitions seeking issuance of Writ of Mandamus to direct the respondents to grant a waiver of a sum of Rs.12,22,346/- and Rs.20,48,208/- being the amounts due from the petitioner towards the 15th year and extended period of lease in respect of lease agreement entered with the 2nd respondent for running Hotel in the name and style of "Hotel Tamilnadu" at Coonoor and Ranipet respectively.

2. The case of the petitioner is that, the petitioner entered into a lease agreements with the 2nd respondent for a period of 15 years for running Hotel namely "Hotel Tamilnadu" at Coonoor and Ranipet respectively. While being so, due to lockdown, the petitioner was unable to pay the lease/franchise fee as demanded by the respondents. Therefore, the petitioner made representations dated 18.11.2021 and 10.11.2021 respectively before the 2nd respondent to waive the lease amount. However, till date no orders have been passed. Hence, these Writ petitions.

3. Though very many grounds have been raised, learned counsel for the petitioner submits that, it would suffice if this Court issues direction to the respondents to consider the petitioner's representations dated 18.11.2021 and 10.11.2021 respectively and waive the amount due from the petitioner towards the 15th year and extended period of lease.

4. The learned counsel appearing for the respondents fairly conceded that the petitioner's representations dated 18.11.2021 and 10.11.2021 respectively will be considered in accordance with law and appropriate orders will be passed within the time stipulated by this Court.

5. In view of the above submissions, this Court without going into the merits of the case issues direction to the respondents to consider the petitioner's representations dated 18.11.2021 and 10.11.2021 respectively in accordance with law and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order.

6. Accordingly, these writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar

skt



To

1.The Principal Secretary to Government,
The State of Tamil Nadu,
Tourism, Culture and Religious Endowments Dept.,
Fort St. George, Chennai-600 009.

2.The Assistant Chief Manager (Hotels),
The Tamil Nadu Tourism Development Corporation Ltd.,
Tamil Nadu Tourism Complex,
No.2, Wallajah Road,
Chennai- 600 009.

+2ccs to Mr.A.Suresh, Advocate Sr.No.1403, 1404

+1cc to the Government Pleader Sr.No.2001

W.P.Nos.40 & 41 of 2022

RK(CO)
RVM(28/02/2022)