



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2015

CORAM:

THE HONOURABLE DR. JUSTICE S.TAMILVANAN  
and  
THE HONOURABLE MR. JUSTICE V.S.RAVI

W.P. (MD) No. 3447 of 2015  
and  
M.P. (MD) No. 1 of 2015

Sri Murugavilas Patra Kadai,  
Rep. by its Partner V.R.C. Sundaram

..Petitioner

Vs.

1. The Home Secretary,  
Government of Tamil Nadu,  
Fort St. George,  
Chennai 600 009.

2. The Registrar General,  
Madras High Court,  
High Court Buildings,  
Chennai.

3. A. Sundaram

..Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to clarify whether in charge Principal Sub Judge is entitled to hear the Rent Control Appeals and whether in charge Principal District Munsif is entitled to act as Rent Controller and execute the orders of the Rent Controller.

For Petitioner : Mr. Vallinayagam, Senior Counsel for  
Mr. M. Bindran

For Respondents : Mr. M. Alaguthevan, Spl. G.P. for R1  
Mr. R. Aravindan for R2

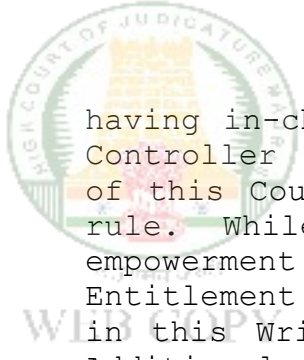
#### O R D E R

(Order of this Court was made by S. TAMILVANAN, J.)

The Writ petition has been filed under Article 226 of the Constitution of India, seeking an order in the nature of Writ of Mandamus, directing the second respondent to clarify whether in-charge Principal Sub Judge is entitled to hear the Rent Control Appeals and whether in-charge Principal District Munsif is entitled to act as Rent Controller and execute the orders of the Rent Controller.

2. Heard the learned Senior Counsel appearing for the petitioner, the learned Special Government Pleader appearing for the first respondent and the learned counsel appearing for the second respondent.

<https://hcservices.ecourts.gov.in/hcservices/>  
The prayer sought for in the Writ petition is against the Registrar General of the High Court, to interpret the powers conferred on the in-charge Principal Sub Judge or the Additional District Munsif



having in-charge to function as Rent Control Appellate Authority or Rent Controller respectively. It is well settled that the Registrar General of this Court cannot given any interpretation of any legal provision or rule. While the authorities exercising powers, it should be construed as empowerment and not entitlement, as they are not seeking it as a right. Entitlement relates to any beneficiary seeking certain rights. However, in this Writ petition, the petitioner has raised clarification whether Additional Sub Judge or Additional District Munsif are entitled to function as Rent Control Appellate Authority or Rent Controller respectively.

5.The petitioner cannot file a Writ petition under Article 226 of the Constitution of India against the Registrar General, seeking an order to clarify the legal position as to whether the Additional District Munsif is empowered to exercise the power of Principal District Munsif when he is in-charge Principal District Munsif and similarly when the Additional Sub Judge, as incharge, exercises the power of Principal Sub Judge. The second respondent cannot be construed as interpreter of law and hence, the relief sought in the Writ petition is not within the purview of Article 226 of the Constitution of India. Hence, we are of the view that the Writ petition is not maintainable.

6.In the result, the Writ petition is dismissed. No order as to costs. Consequently, connected M.Ps.are closed.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

1.The Secretary to Government,  
Government of Tamil Nadu, Home Department,  
Fort St. George, Chennai 600 009.

2.The Registrar General, Madras High Court,  
High Court Buildings, Chennai.

+1cc to Mr.M.Bindran, Advocate in SR.12028

+1cc to the Special Government Pleader in SR.12234

W.P. (MD) No.3447 of 2015

11.03.2015

nbj

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