

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.01.2018

CORAM:

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.2804 of 2016

and

WMP Nos.31967 and 2732 of 2017

D.R.Naidu
Power Agent of D.Suresh

...Petitioner

Vs

1.The Inspector General of Registration,
100, Santhome High Road,
Mandaveli, Chennai 600 028.

2.The Sub Registrar,
O/o.The Sub Registrar,
Konnur, 5/5, 4th Main Road,
Sidco Nagar, Chennai 600 049. ...Respondents

Prayer:-Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus to direct the first respondent to vacate the petitioner's property as committed by the first respondent in letter dated 16.05.2014 in No.23937/H2/2013 at the earliest point of time as may be fixed by this Court.

For Petitioner : Mr.N.Elumalai

For Respondents : Mr.M.Elumalai
Government Advocate

ORDER

The petitioner seeks for a mandamus directing the first respondent to vacate the petitioner's property as committed by the first respondent in letter dated 16.05.2014.

2. It is seen that the second respondent's office was located at the subject matter premises belonging to the petitioner's son. It is further seen that there was some dispute with regard to the payment of rent. It is further seen that the first respondent through the proceeding dated 16.05.2014, informed the petitioner that they are taking positive steps to vacate the premises.

3. Now, a counter affidavit and an additional counter affidavit are filed by the second respondent, wherein it is stated that the second respondent had vacated the premises on 18.06.2017

and that in so far as the interim relief for payment of enhanced rent is concerned, suitable proposals are already sent to the concerned authorities and once it is sanctioned, the petitioner will get the payment of enhanced rent. Since the respondents have vacated the premises and the said fact is also not disputed by the petitioner's counsel, the prayer sought for in this writ petition has become infructuous. Therefore, the writ petition is disposed of as infructuous, however by recording the statement of the second respondent that the enhanced rent will be paid to the petitioner, once they get suitable orders from the concerned authorities, based on the proposals. If the petitioner has any further claim with regard to any other payment, it is for the petitioner to inform the respondents about the same by way of a written request and if any such request is made, the respondent shall consider the same and pass appropriate orders accordingly. No costs. The connected miscellaneous petitions are closed.

-sd/-

Assistant Registrar

/ TRUE COPY /

Sub-Assistant Registrar

vri

To

1.The Inspector General of Registration,
100, Santhome High Road,
Mandaveli, Chennai 600 028.

2.The Sub Registrar,
O/o.The Sub Registrar,
Konnur, 5/5, 4th Main Road,
Sidco Nagar, Chennai 600 049.

+1 cc TO M/S.N.ELUMALAI Advocate SR.NO. 3770

+1 cc to Government Pleader SR.NO. 4115

WEB COPY

W.P.No.2804 of 2017

cnr[co]

RD 03/02/2018