



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE V. PARTHIBANW.P. (MD) No.17883 of 2018

WEB COPY

P.Thiyagarajan

... Petitioner

vs.

1.The District Collector,
Office of the District Collectorate,
Trichirappalli District.

2.The Managing Director,
TASMAC Limited,
IV Floor,
CMDA Tower II,
Egmore, Chennai-600 008.

3.The District Manager,
TASMAC Limited,
IMFS Depot,
SIDCO Estate,
Plot No.72, CP3,
BHEL Nagar,
Thuvakudi,
Trichirappalli-15.

... Respondents

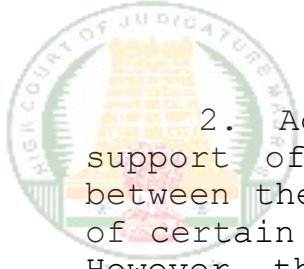
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Mandamus directing the respondents to initiate speedy action on the representations of the petitioner dated 21.07.2018 and consequently direct the respondents to pay the full arrears of rent from February 2012 till date as the time frame fixed by this Court.

For Petitioner : Mr.H.Elango

For Respondents : Mr.C.M.Marichelliah Prabhu
Additional Government Pleader
for R.1
: Mr.B.Jameel Arasu
for R.2 and R.3

O R D E R

The prayer in the writ petition is seeking a direction to the respondents to pay the full arrears of rent from February 2012 to the premises occupied by the respondent outlet which is leased by the petitioner.



2. According to the averments in the affidavit filed in support of the writ petition, that there was an oral agreement between the petitioner and the respondents in regard to the payment of certain amount of monthly rent for the premises let out to them. However, the respondents have not paid as per the oral agreement.

3. The issue involved in the writ petition is one of the facts which can be disputed by the respondents. Admittedly, even according to the petitioner, there was only oral agreement. Therefore, the adjudication of the dispute between the petitioner and the respondents would involve letting oral evidence. Such adjudication is not possible before this Court, which is exercising its jurisdiction under Article 226 of the Constitution of India.

4. Therefore, this Court is of the view that the Writ Petition is not maintainable and therefore, the same is dismissed. No costs. It is always open to the petitioner to work out his remedy in the manner known to law, if he is so advised.

Sd/-

Assistant Registrar(WRITS)

/True Copy/

Sub Assistant Registrar(CS-I)

To:

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+1CC to Mr.H.Elango, Advocate in SR NO.78374

+1CC to Mr.Jameel Arasu, Advocate in SR No.78719.

+1CC to The Special Government Pleader ,
Madurai Bench Of Madras High Court in SR No.78440.