



WEB COPY

W.P(MD)No.17139 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

AND

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.17139 of 2020

and

W.M.P(MD)No. 14301, 14303 of 2020

R.Devendhiran

... Petitioner

Vs.

1.The District Revenue Officer/
Competent Authority under TNPID Act,
Madurai.

2.The Tahsildar,
Madurai South Taluk,
Madurai.

3.The Special Court under TNPID Act,
Madurai.

... Respondents

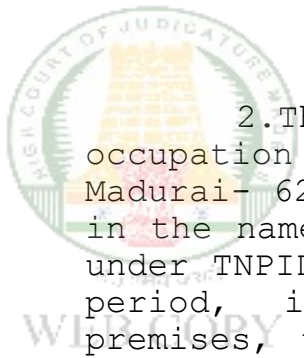
Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus, forbearing the respondents 1 and 2 herein, their men, agents or any one claiming under them from in any manner interfering with the business of the petitioner in the tenanted 2nd floor portion of Dr.No. 171, East Veli Street, Madurai-625001, without following the due process of law and consequently direct the respondents herein to receive the monthly rent of Rs. 1,550/- pm., from the petitioner's portion of Door.No. 171, East Veli Street, Madurai-1, in her occupation till the final outcome of the dispute before the Special Court under the TNPID Act, Madurai.

For Petitioner	: Mr.K.Muthu Ganesa Pandian
For Respondents	: Mr.M.Muthugeethaiyan, Special Government Pleader

ORDER

[Order of the Court was made by **N.KIRUBAKARAN, J.**]

This writ petition has been filed seeking a writ of mandamus forbearing the respondents 1 and 2 from in any manner interfering with the business of the petitioner and for consequential directions.



2.The petitioner contends that the petitioner has been in occupation of the property at Door No.171, East Veli Street, Madurai- 625001, as a tenant and the landlord, who is doing business in the names of K.L.K. and K.R.S.Finance, is facing the proceedings under TNPID Act. However, the petitioner, being a tenant for a long period, in the above said property, has been asked to vacate the premises, vide impugned order, dated 04.11.2020 and therefore the petitioner has approached this Court.

3.Heard Mr.K.Muthu Ganesa Pandian, learned Counsel appearing for the petitioner and Mr.M.Muthugeethaiyan, learned Special Government Pleader appearing for the respondents.

4.It is evident from the records that the petitioner is in occupation of the above said property for a long period and therefore, the petitioner's possession cannot be disturbed. However, it is open to the petitioner to approach the Special Court under TNPID Act, under Section 10(b) of TNPID Act, seeking permission to carry on his business.

5.Under such circumstances, this Court directs the petitioner to approach the Special Court under TNPID Act, Madurai, under Section 10(b) of the TNPID Act, seeking permission to carry on the business and it is open to the petitioner to deposit the rent before the said Court. The Special Court under TNPID Act, Madurai, on filing of such application by the petitioner as directed above, shall dispose of the said application as expeditiously as possible. Till such time, the petitioner's possession shall not be disturbed.

6.The writ petition is disposed of, on the above terms. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

dsk

To

1.The District Revenue Officer/
Competent Authority under TNPID Act,
Madurai.

2.The Tahsildar,
Madurai South Taluk, Madurai.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Special Court under TNPID Act,
Madurai.

+1 CC to SGP (SR-23505[F] dated 01/12/2020)

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27.11.2020

MA (CO)

NR (14/12/2020) 3P : 5C