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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.04.2021

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THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

AND

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

W.P. No.7835 of 2020

P. Chandra Jothi

..Petitioner

Vs.

1. The Registrar General,
Madras High Court,
Chennai - 600 104.
2. The Principal District Judge,
Thiruvallur District, Thiruvallur.
3. The District Munsif,
Thiruvottiyur,
Chennai - 600 019.
4. Sub Assistant Registrar (AD.III),
High Court, Madras - 600 104.
5. The Under Secretary to Government,
Home, Prohibition and Excise Dept.,
Secretariat, Chennai - 600 009.

..Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus directing the 1st respondent to dispose of the petitioner's representation dated 22.11.2019 to direct them to pay the rental arrears of Rs.1,12,76,592/-.

For Petitioner : Mr.K.Kannan

For Respondents: Mr.P. Kannan Kumar for
R1 to R4
Mr.S. Kamalesh Kannan,
Govt. Advocate for R5



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ORDER

(Order of the Court was made by N. KIRUBAKARAN, J.)

The matter is heard through videoconferencing.

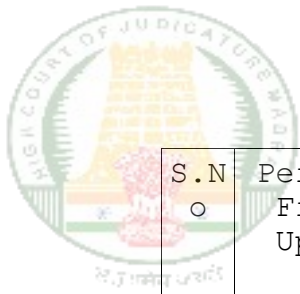
2. The petitioner is the owner of the premises let out for running District Munsif and Judicial Magistrate Courts, Thiruvottiyur, Tiruvallur District from 01.07.2017 on a monthly rent of Rs.3,88,848/-. Since the rent was not paid, the petitioner gave a representation to the 1st respondent on 22.11.2019. However, no orders were passed on the said representation, which compelled the petitioner to approach this Court.

3. In the earlier order dated 04.06.2020, the submission of the learned counsel for the petitioner that after notice was ordered in the writ petition, a sum of Rs. 81 lakhs has been deposited to the account of the petitioner through RTGS and that further arrears comes to Rs.1,12,76,592/-, has been recorded. Further, a status report was also directed to be filed.

4. When the matter is called today, Mr.P.Kannan Kumar, learned counsel appearing on behalf of High Court would submit that the entire amount payable upto February, 2021 has been paid and the owner has also acknowledged. The Registrar General, High Court, Madras has filed a status report and the relevant portion of the status report along with details of the payment are extracted hereunder:

"4.

(ii) The District Munsif, Thiruvottiyur, vide his letter in Dis. No. 187/2021, dated 19.04.2021 addressed to the Principal District and Sessions Judge, Tiruvallur, had stated that the rent for Combined Court Building of District Munsif Court and Judicial Magistrate Court, Thiruvottiyur has been paid to the Building Owner namely Tmt.P. Chandra Jothi, W/o. Prem Ananth, through E.C.S. From 01.07.2017 to 28.02.2021. He has also enclosed a detailed report of rent paid to the building Owner for the period from 01.07.2017 to 28.02.2021 as follows:



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S.No	Period From Upto	Total Amount	T.D.S. Amount	Net Amount	Token No. and Date	Voucher No.	Date of Encashment	Name of the Treasury
1.	01.07.2017 to December 2019	Rs.90,77,413/-	Rs.9,07,741/-	Rs.81,69,672/-	13939/09.03.2020	B-21	11.03.2020	Sub Treasury, Ponneri
2.	January, 2020 & February, 2020	Rs.6,13,740/-	Rs.61,374/-	Rs.5,52,366/-	4555/02.09.2020	NB-21	04.09.2020	Sub Treasury, Ponneri
3.	March 2020 to December 2020	Rs.30,68,700/-	Rs.3,06,870/-	Rs.27,61,830/-	180600732 103005/10.03.2021	2780934	12.03.2021	Sub Treasury, Ponneri
4.	January 2021 & February 2021	Rs.6,13,740/-	Rs.61,374/-	Rs.5,52,366/-	180600732 1030008/ 26.03.2021	2973919	30.03.2021	Sub Treasury, Ponneri

From the above, it is clear that the amount, which has to be paid to the petitioner has been paid upto February, 2021. Therefore, the claim made by the petitioner in the representation has been complied with.

5. However, what is to be seen is that the Lower Judiciary which is functioning in the petitioner's premises should continue to pay the amount without driving the petitioner from pillar to post. But for the writ petition, the petitioner's grievance would not have been redressed. Therefore, this Court hopes that respondents shall not give any room for the petitioner to approach this Court regarding payment of rent in future. It is made clear that the proposal for payment of rent should be sent by the Lower Judiciary then and there so that the amount could be sanctioned by the Government Authorities in time to ensure prompt payment to the landlords.



6. The writ petition is disposed of with the above direction. No costs.

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Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

nv

To

1. The Registrar General,
Madras High Court,
Chennai - 600 104.
2. The Principal District Judge,
Thiruvallur District, Thiruvallur.
3. The District Munsif,
Thiruvottiyur,
Chennai - 600 019.
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Secretariat, Chennai - 600 009.

W.P. No. 7835 of 2020

UM(CO)
RGA(14/07/2021);