



WEB COPY



W.P.No.27371 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.10.2022

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.27371 of 2022

S. Aravindakshan

... Petitioner

Vs.

1. The Special Deputy Collector/
Rent Authority (Social Security Scheme)
Mambalam Taluk & Guindy Taluk,
Chennai Collectorate, Second Floor,
Singaravelar Maligai,
Rajaji Salai, Chennai – 600 001

2. R. Roopkumar

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorari calling for the records of the first respondent bearing impugned proceeding Proc.No.F4/12951/2022 dated 25.08.2022 and quash the same and pass orders.

For Petitioner : Mr. S. Udayakumar

For Respondents : Mr.U. Baranidharan
Additional Government Pleader



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ORDER

By consent of both the parties, the writ petition is taken up for final disposal at the time of admission stage itself.

2. This Writ Petition has been filed for the issuance of Writ of Certiorari calling for the records of the first respondent bearing impugned proceeding Proc.No.F4/12951/2022 dated 25.08.2022 and quash the same.

3. The case of the petitioner is that the petitioner is the tenant in the second respondent premises and there were some discrepancies in payment of rent. Therefore the petitioner has filed an application before the first respondent for fixation of fix a fair rent who inturn passed the impugned order wherein the request of the petitioner is rejected. Challenging the same the petitioner has come up with this writ petition.

4. The learned counsel for the petitioner submitted that as per Section 10 of Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenancy Act 42/2017 (As emended by T.N.Act 39 of 2018, T.N. Act 22 of 2019 and T.N. Act 3 of 2020) the first respondent has power to fix or



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revise the rent. Hence he prays for appropriate orders.

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5. Consider the facts of the case this Court is of the view there is a alternate remedy available to the petitioner to file an appeal before the Appellate Authority, hence the petitioner is granted liberty to file an appeal before the Appellate Authority within a period of four weeks from the date of receipt of a copy of this order and if such appeal is filed, the authority concerned shall dispose the same within a period of twelve weeks from the date of filing of such appeal. No costs.

6. With the aforesaid direction, this Writ Petition stands disposed of.

No costs.

13.10.2022

Index: Yes/ No

Internet: Yes/No

smn

To

The Special Deputy Collector/
Rent Authority (Social Security Scheme)
Mambalam Taluk & Guindy Taluk,
Chennai Collectorate, Second Floor,
Singaravelar Maligai,
Rajaji Salai, Chennai – 600 001



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M.DHANDAPANI,J.

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