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W.P.(MD)NO.20328 OF 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.07.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.20328 of 2015 AND
M.P.(MD)No.1 of 2015

A.Jamal

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Kovilpatti,
Tuticorin District.

2. G.Rajagopal

3. Venkatasamy

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent herein to number the petition dated 23.10.2015 filed by the petitioner under section 9(3) of Tamil Nadu Buildings (Lease and Rent Control) Act 1960.

For Petitioner : Mr.D.Nallathambi

For R-1 : Mr.S.Shanmugavel,
Additional Government Pleader.

For R-2 : Mr.C.M.Arumugam

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**ORDER**

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Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the first respondent and the learned counsel appearing for the second respondent.

2. The petitioner is a tenant occupying the petition-mentioned premises. The petitioner states that he was inducted as tenant by the third respondent. But the second respondents asserts that he is the title holder. In view of the dispute, the petitioner is in quandary as to whom he could pay the amount. Adding to the confusion, there is also an attachment over the petition-mentioned property at the instance of the TNPID Court. In these circumstances, the petitioner filed a petition before the first respondent under Section 9(3) of Tamil Nadu Buildings (Lease and Rent Control) Act 1960. Complaining that the petition has not been numbered till date, this writ petition came to be filed.

3. When the matter was taken up for hearing, the learned Additional Government Pleader submitted that the



petition said to have been filed by the petitioner is not available on the file of the first respondent.

4. Yet another development has taken place. The 1960 Act has been repealed and the new Act has come into force. The petitioner will have to file a fresh petition. As and when such a petition is filed, the same shall be numbered by the competent authority / Court without any delay provided it is in order. The petitioner is permitted to enclose this order copy along with the petition to be filed by him. This writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

28.07.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
PMU

To:

The Revenue Divisional Officer,
Kovilpatti,
Tuticorin District.



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G.R.SWAMINATHAN,J.

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