



WP(MD)No.9211 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.9211 of 2016
and
WMP(MD)Nos.7331 & 7332 of 2016

Rathinakumar

... Petitioner

v.

1.The Deputy Chairman and Estate Officer,
V.O.Chidambaranar Port Trust,
Engineering Department (Civil),
Tuticorin.

2.The Executive Engineer,
Electrical Division – II,
V.O.Chidambaranar Port Trust,
Tuticorin – 628 004.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents not to evict the petitioner from the snack bar in Zone-A at Beach area in V.O.Chidambaranar Port Trust, Tuticorin, till the Arbitration proceedings are finalized.



WP(MD)No.9211 of 2016

For Petitioner : Mr.R.J.Karthick

For Respondents : Mr.A.Arivuchandran

ORDER

This writ petition is filed for a mandamus directing the respondents not to evict the petitioner from the snack bar in Zone – A at Beach area in V.O.Chidambaranar Port Trust, Tuticorin, till the arbitration proceedings are finalized.

2.This writ petition is pending before this Court from the year 2016. While entertaining the writ petition in the year 2016, this Court has granted an order of interim injunction and thereafter, the matter was not listed. Again, it was listed only in the year 2023.

3.Today, when the matter came up for hearing, learned Counsel appearing for the petitioner submitted that the writ petition has become infructuous, since the lease period itself is over.



WP(MD)No.9211 of 2016

4.Learned Counsel appearing for the respondents submitted that the petitioner, taking advantage of this writ petition and the interim order granted by this Court, is still occupying the place, even after the expiry of the lease period.

5.This Court considered the rival submissions made on either side.

6.The petitioner appears to be a tenant of the respondent Port Trust, based on a lease agreement arrived between them. The lease period is from 10.04.2014 to 13.11.2019. Admittedly, the lease period itself is over by now. Therefore, this Court is not inclined to entertain this writ petition and the same is accordingly dismissed. If the petitioner is having any grievance as against the respondents, it is open to him to work out the same, in the manner known to law.

There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes / No
NCC : Yes / No
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20.06.2023



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WP(MD)No.9211 of 2016

B.PUGALENDHI, J.

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WP(MD)No.9211 of 2016

20.06.2023