



WEB COPY



W.P.No.7981 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.7981 of 2022
and W.M.P.No.7971 of 2022

Dr.S.Devaraj

...Petitioner

-Vs-

1. The Additional Registrar (Chits),
The Inspection General of Registration,
Marina Division, Chepauk,
Chennai – 600 005.

2. The District Registrar (Admn)
South Chennai, Saidapet,
Chennai – 600 015.

3. The Sub Registrar,
Tambaram Taluk,
No.26, First Floor, M.E.S.Road,
Ganathypuram, Tambaram East,
Chennai – 600 059.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the order of the impugned reply notice dated 27.09.2021 bearing number 499/H2/2014-2 passed by the first respondent and quash the same and to hold proper enquiry within the time frame as fixed by this Court and to consequently remit the arrear rents within a period fixed by this Court.



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For Petitioner : Ms.Ritika.M

For Respondents : Mr.P.Ananda Kumar
Government Advocate

ORDER

This writ petition has been filed challenging the reply notice dated 27.09.2021, issued by the first respondent thereby denied the claim made by the petitioner by way of legal notice.

2. The petitioner is the owner of the land situated at No.26, M.E.S.Road, East Tambaram, Chennai – 600 059. It was rented out to the third respondent to run Registrar Office. Subsequently, the rent payable by the third respondent was enhanced at Rs. 17,730/-. Further it was enhanced to Rs.26,971/- from 06.04.2016. Once again the rent was enhanced from 06.04.2019 at Rs.31,015/- per month. According to the petitioner, the respondents failed to pay the rent and abandoned the premises without even handing over the key and without giving vacant possession of the subject property to the petitioner.

3. Heard the learned counsel appearing on either side and perused the material placed before this Court.



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4. On perusal of records and also the counter filed by the respondent along with calculation memo revealed that, the petitioner was paid entire enhanced rent of Rs. 31,051/- from 06.04.2019 till 08.12.2021. Further, the third respondent vacated his office as on 07.12.2021 and paid the entire rent on 08.12.2021. They also admitted that the third respondent vacated the premises without any notice to the petitioner. Therefore, the petitioner caused legal notice claiming arrears of rent. By way of reply notice, which is impugned in this writ petition, the respondent categorically stated that there was no arrears of rent and they had vacated and handed over the premises to the petitioner.

5. The learned counsel appearing for the petitioner also admitted that the petitioner is in vacant possession of the subject premises. Therefore, this Court finds no infirmity or illegality in the reply notice issued by the first respondent and the writ petition is devoid of merits and liable to be dismissed.



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6. Accordingly, the Writ Petition stands dismissed.

Consequently, connected miscellaneous petition is closed. There shall be no orders as to costs.

17.04.2024

Index : Yes/No

Speaking/Non Speaking order

Neutral Citation : Yes/No

rts



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G.K.ILANTHIRAIYAN. J.

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