



C.R.P.(MD)Nos.3911, 3912 and 3913 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.02.2026

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THE HONOURABLE MR.JUSTICE **N.SENTHILKUMAR**

C.R.P.(MD)Nos.3911, 3912 and 3913 of 2025

S.Amaravathi Sobana
represented by her Power Agent,
S.Muthiah Poosari Amalan.

... Petitioner in all cases

-vs.-

K.C.Pon Rajendran

...Respondent in all cases

PRAYER in C.R.P(MD)No.3911 of 2025: Civil Revision Petition is filed under Section 25 of the Tamil Nadu Buildings (Lease and Rent Control) Act, 1960, to set aside the fair and decreetal order passed by the Rent Control Appellate Authority/Subordinate Judge, Melur, dated 22.09.2025 made in R.C.A.No.4 of 2024 by set aside the order passed by the learned District Munsif/Rent Controller in I.A.No.11 of 2019 in R.C.O.P.No.3 of 2018, dated 12.04.2024.

PRAYER in C.R.P(MD)No.3912 of 2025: Civil Revision Petition is filed under Section 25 of the Tamil Nadu Buildings (Lease and Rent Control) Act, 1960, to set aside the fair and decreetal order passed by the Rent Control Appellate Authority/Subordinate Judge, Melur, dated 22.09.2025 made in R.C.A.No.1 of 2025 by set aside the order passed by the learned District



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Munsif/Rent Controller in I.A.No.6 of 2019 in R.C.O.P.No.3 of 2018, dated 12.04.2024.

PRAYER in C.R.P(MD)No.3913 of 2025: Civil Revision Petition is filed under Section 25 of the Tamil Nadu Buildings (Lease and Rent Control) Act, 1960, to set aside the fair and decretal order passed by the Rent Control Appellate Authority/Subordinate Judge, Melur, dated 22.09.2025 made in R.C.A.No.3 of 2024 by set aside the order passed by the learned District Munsif/Rent Controller in R.C.O.P.No.3 of 2018, dated 12.04.2024.

For Petitioner :Mr.R.Aravindraaj

For Respondent :Mr.Iniyavan Abdullah
(in all cases)

COMMON ORDER

The petitioner is a landlord and the respondent is a tenant. The petitioner along with one S.Muthiah Poosari Amalan initiated rent control proceedings in R.C.O.P.No.3 of 2018 against the respondent before the Rent Controller (District Munsif Court), Melur, seeking an order of eviction on the ground of wilful default, demolition and reconstruction. In the said RCOP, the said S.Muthiah Poosari Amalan filed an application in I.A.No.11 of 2019, seeking to stay all further proceedings in RCOP.No.3 of 2018, which was subsequently allowed and the respondent has filed an application in



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I.A.No.6 of 2019, seeking to set aside the ex parte order, dated 04.02.2019 made in RCOP.No.3 of 2018, which was also allowed. Challenging both the order dated 22.09.2025, the respondent preferred appeal in RCA.Nos.4 of 2024 and 1 of 2025. The said appeals were allowed. Challenging the same, CRP(MD) Nos.3911 and 3912 of 2025 have been filed.

2.CRP(MD) No.3913 of 2025 is directed against the order dated passed by the Rent Control Appellate Authority/Subordinate Judge, Melur, dated 22.09.2025 made in R.C.A.No.3 of 2024, reversing the order passed by the learned District Munsif/Rent Controller in R.C.O.P.No.3 of 2018, dated 12.04.2024.

3.The learned counsel for the petitioner reiterating all the contentions set out in the memorandum of Revision would submit that since the demised property is old, the petitioner intends to demolish the entire structures and put up new construction over the same. Hence, RCOP proceedings have been initiated as against the respondent for recovery of possession of the demised property on the ground of demolition and reconstruction along with other grounds. However, the lower appellate Court, without considering the facts and circumstances of the case



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properly, has allowed the appeal filed by the respondent. He would therefore pray for appropriate orders.

4.The learned legal aid counsel for the respondent would submit that in the averments of RCOP petition, it had been stated by the petitioner that she requires the petition mentioned property, which is in the occupation of the respondent, for the purpose of demolition and re construction. However, to prove her *bona fide* needs, the petitioner has not produced any building approved plans, extending the explicit intention to demolish and re-construct the building in question or the whole structure. As such, it is the contention of the learned counsel for the respondent that the petitioner does not have the *bona fide* intention to demolish and re-construct the demised property. Hence, he prays for appropriate orders.

5.Heard the learned counsel on either side and perused the records.

6.From a careful perusal of the entire papers, particularly the orders passed by the Court below, it is seen that the petitioner had instituted eviction proceedings on the ground of *bona fide* requirement, namely, for demolition and reconstruction of the demised premises. The Rent



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Controller, upon appreciation of the oral and documentary evidence, came to the conclusion that the building in question requires demolition and reconstruction. Accordingly, an order of eviction was passed. Aggrieved by the same, the respondent preferred an appeal. The Appellate Authority, on re-appreciation of the entire materials available on record, has reversed the findings of the Rent Controller.

7.While perusing the order made in I.A.No.6 of 2019 filed to set aside the ex parte order dated 04.02.2019, this Court finds that the Court below directed the respondent to deposit a sum of Rs.1,300/- per month before the Court below, till the disposal of the RCOP petition. Further perusal of records would also reveal that the respondent without complying such conditions has proceeded with the case further and failed to produce documents to establish that he has complied with the directions issued by the Court below dated 23.04.2019. It is to be noted that there is no evidence to show that the respondent has paid the rent for staying in the demised premises.

8.It is to be noted that once specific directions are issued by a competent Court, the parties are bound to strictly adhere to the same. Non-



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compliance of such directions vitiates subsequent proceedings undertaken in disregard thereof.

9.In the present case, the respondent, instead of complying with the earlier directions, has chosen to proceed with the case further and secured an order in his favour, thereby defeating the very purpose of the directions issued earlier. Any order obtained in violation of binding directions is liable to be set aside.

10.Accordingly, these Civil Revision Petitions stand allowed and the orders impugned are all set aside. No costs.

25.02.2026

Internet :Yes/No
NCC :Yes/No
Index :Yes/No
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To

1.The Subordinate Judge, Melur.

2.The District Munsif, Melur.



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N.SENTHILKUMAR, J.

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