

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

CRP.NPD.Nos.1266 and 3052 of 2015

M.P.No.1 of 2015 in both CRPs.

CRP.NPD.No.1266 of 2015 :

S.A.Mohammed Ali

.. PETITIONER

Vs

M.Prabakaran

.. RESPONDENT

Civil Revision Petition filed under Article 227 of the Constitution of India against the order dated 05.02.2015 passed in RCA.No.26 of 2014 by the Rent Control Appellate Authority (Principal Subordinate Judge, Erode) reversing the order dated 05.08.2014 passed in RCOP.No.3 of 2013 by the Rent Controller (Principal District Munsif) Erode and District.

For petitioner : Mr.S.V.Jayaraman,
Senior Counsel
for Mr.I.C.Vasudevan

For Respondent : Mr.M.Guruprasad

CRP.NPD.No.3052 of 2015 :

M.Prabakaran

.. PETITIONER

Vs

S.A.Mohammed Ali

..RESPONDENT

Civil Revision Petition filed under Article 227 of the Constitution of India against the order dated 05.02.2015 passed in RCA.No.25 of 2014 by the Rent Control Appellate Authority (Principal Subordinate Judge, Erode) reversing the order dated 05.08.2014 passed in RCOP.No.11 of 2013 by the Rent Controller (Principal District Munsif) Erode and District.

For petitioner : Mr.M.Guruprasad

For Respondent : Mr.S.V.Jayaraman,
Senior Counsel
for Mr.I.C.Vasudevan

C O M M O N O R D E R

The Revision Petitioner in CRP.NPD.No.3052 of 2015 is the tenant, while the Revision Petitioner in CRP.NPD.No.1266 of 2015 is the landlord.

2. The Revision Petitioner in CRP.NPD.No.3052 of 2015 is the tenant for the premises measuring about 1900 square feet at Erode and he runs a Godrej Show Room. The Revision Petitioner in CRP.NPD.No.3052 of 2015 has suffered a decree of eviction.

3. The Revision Petitioner in CRP.NPD.3052 of 2015 has filed

an Undertaking affidavit dated 01.09.2015 to vacate and surrender vacant possession of the premises to the landlord on or before 31.08.2016. He has also agreed for deduction of the rent payable until he vacates, from the advance.

4. The CRP.NPD.No.1266 of 2015 is filed by the landlord against the order of the Rent Control Appellate Authority directing to provide the domestic amenities to the tenants.

5. In view of the undertaking Affidavit dated 01.09.2015 filed by the tenant, no further adjudication is necessary in CRP.NPD.No.1266 of 2015.

6. The learned Senior Counsel for the landlord has fairly submitted that he would restore the disconnected amenities of water connection, gutter outlet and other amenities and also would provide electricity until the tenant vacates in view of the Undertaking Affidavit of the tenant.

D.HARIPARANTHAMAN, J.

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7. The Civil Revision Petitions are disposed of recording the undertaking affidavit dated 01.09.2015 as well as the statement made by the learned Senior Counsel for the landlord. The aforesaid affidavit dated 01.09.2015 shall form part of this order. No costs. Consequently, connected Miscellaneous Petitions are also closed.

08.09.2015

Note:

Issue order copy on 11.09.2015

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To

1. Rent Control Appellate Authority,
(Principal Subordinate Judge),
Erode.
2. Rent Controller (Principal District Munsif),
Erode District.

3052/2015

CRP.NPD.Nos.1266 and

