

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.04.2015

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

C.R.P.(PD)No.1268 of 2015 &

M.P.No.1 of 2015

R.Thangavel

... Petitioner

v.

K.Kanagaraj

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India, against the fair and decreetal order dated 11.09.2014 made in I.A.No.553 of 2014 in I.A.No.507 of 2014 in R.C.O.P.No.12 of 2013 on the file of Additional District Munsif, Erode.

For Petitioner : Mr.E.P.Senniyangiri

ORDER

Challenging the fair and final order passed in I.A.No.553 of 2014 in I.A.No.507 of 2014 in R.C.O.P.No.12 of 2013 on the file of Additional District Munsif, Erode, the tenant has filed the above Civil Revision Petition.

2. The respondent-landlord has filed filed R.C.O.P.No.12 of 2013 for eviction on the ground of willful default. The petitioner-tenant filed an application in I.A.No.507 of 2013 to send the lease agreement dated 7.2.2011 for comparison. The Rent Controller allowed the application and directed the tenant to produce his admitted signature. Thereafter, the tenant filed the present application in I.A.No.553 of 2013 seeking permission to produce the sale deed dated 30.3.2012 for comparison.

3. The disputed agreement is dated 7.2.2011. Therefore, the tenant has filed the present application to modify the order dated 7.8.2013 passed in I.A.No.507 of 2013 to the effect that to permit him to produce the sale deed dated 30.3.2012. The said application was contested by the landlord.

4. Learned counsel appearing for the revision petitioner-tenant, fairly admitted that the tenant has not challenged the order passed in I.A.No.507 of 2014, therefore, the order passed in the said application has become final.

5. The Rent Controller, after taking into consideration the case of both the parties, rightly dismissed the application finding that the order passed in I.A.No.507 of 2014 cannot be interfered with by the Rent Controller after the passing of the final order.

6. In these circumstances, I do not find any error or irregularity in the order passed by the Rent Controller. The Civil Revision Petition is devoid of merits and is liable to be dismissed. Accordingly, the Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

06.04.2015

Index : No
Internet : Yes

Rj

To

The Additional District Munsif Court,
Erode.

M. DURAISWAMY,J.,

Rj

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