

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2015

CORAM :

THE HONOURABLE Mr.JUSTICE D.HARI PARANTHAMAN

C.R.P.(PD).No.3200 of 2015
and
M.P.No.1 of 2015

Mr.Nirmal Bhandari

... Petitioner

Vs.

1.Mrs.Usha Agarwal

2.Mr.Rahul Agarwal

... Respondents

Prayer: Civil Revision Petition has been filed under Section 25 of the Tamil Nadu Buildings (Lease and Rent) Control Act, against the fair and decreetal order passed by the VII Small Causes Judge at Chennai (Appellate Authority) in R.C.A.No.718 of 2014 dated 25.03.2015, confirming the fair and decreetal order passed by the XV Small Causes Judge at Chennai in R.C.O.P.no.2166 of 2012 dated 17.10.2014.

For Petitioners : Mr.S.Parthasarathy

For Respondents : A.Abdul Rahim

ORDER

The Revision Petitioner herein is the tenant and he suffered an order of eviction in R.C.O.P.No.2166 of 2012 on the file of the XV

Small Causes Judge at Chennai. R.C.A.No.718 of 2014 filed against the said eviction order was also dismissed. Hence, the present revision has been filed.

2.While so, the revision petitioner/tenant has filed an affidavit of undertaking to vacate the premises within six months. The learned counsel for the revision petitioner/tenant states that the revision petitioner/tenant would pay the rent without any default for the six months and in any event, the rent could be adjusted from the advance amount lying with the 1st respondent/landlord. It is also stated by the learned counsel for the revision petitioner/tenant that there is arrears of rent for three months and the same may be adjusted from the advance amount.

3.The learned counsel for the 1st respondent/landlord has also admitted that an advance amount of Rs.5 lakhs is lying with the 1st respondent/landlord. The learned counsel for the 1st respondent/landlord also undertakes to withdraw R.C.O.P.No.973 of 2014 pending on the file of the XIV Small Causes Judge, Chennai, which was filed by the 1st respondent/landlord for fixing fair rent.

4.Recording the affidavit of undertaking filed by the revision petitioner and the submissions made on either side, this Civil Revision

Petition is disposed of. Consequently, connected Miscellaneous
Petition is closed. No costs.

03.09.2015

Internet : No
Index : Yes
ssv

To
1.The VII Small Causes Judge, Chennai.
2.The XV Small Causes Judge, Chennai.

D.HARI PARANTHAMAN, J.

SSV

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