

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.08.2015

CORAM:

THE HON'BLE MR. JUSTICE D.HARIPARANTHAMAN

C.R.P.No.3289 of 2015

&

M.P.No.1 of 2015

L.Rajendran .. Petitioner/Respondent

Vs.

R.Sivakumar ... Respondent/Appellant

Prayer:

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the judgment and decree dated 29.06.2015 passed by the learned VIII Judge, Court of Small Causes in R.C.A.No.779/2014 by reversing the judgment and decree dated 21.11.2014 passed by the learned XVI Judge, Court of Small Causes in M.P.No.105 of 2014 in RCOP.No.1058 of 2013.

For Petitioner : Mr.S.Muthu Durai

O R D E R

The revision petitioner who is the landlord has filed R.C.O.P.No.1058 of 2013 on the file of the XVI Small Causes Court, Chennai for eviction of the respondent on the ground of willful default.

2. The revision petitioner also filed an application in M.P.No.105 of 2014 under Section 11(4) of the Tamil Nadu Buildings (Lease and Rent Control) Act to direct the respondent to pay the arrears of rent from January 2012 till the date of the said petition, at the rate of Rs.14,500/-.

3. The aforesaid M.P.No.105 of 2014 in R.C.O.P.No.1058 of 2013 was allowed by the learned Rent Controller on 21.11.2014. Against the said order made in M.P.No.105 of 2014 in R.C.O.P.No.1058 of 2013, the respondent filed R.C.A.No.779 of 2014. The lower appellate Court by an order dated 29.06.2015 allowed R.C.A.No.779 of 2014 and the

present Civil Revision Petition is preferred against the aforesaid order.

4. The learned counsel for the petitioner has submitted that he would be satisfied if a direction is issued to the learned Rent Controller to dispose of R.C.O.P.No.1058 of 2013, within a stipulated time period.

5. Taking into account the aforesaid submission, I am inclined to direct the learned Rent Controller to dispose of the R.C.O.P.No.1058 of 2013 on merits, within a period of six months from the date of receipt of a copy of this order.

6. The Civil Revision Petition is disposed of with the above direction. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

pgp

To

1. The VIII Judge,
Court of Small Causes
Chennai.

2. The XVI Judge, Court of Small Causes, Chennai.

+ 3 ccs to Mr.S. Muthudurai, Advocate Sr.46434

सत्यमेव जयते

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PUR(CO)

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