

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.12.2015

CORAM

THE HONOURABLE MS. JUSTICE R.MALA

C.R.P.(PD).No.4469 of 2015
& M.P.No.1 of 2015

T.K.Dhinakaran .. Petitioner

Versus

Santhi .. Respondent

Prayer: Civil Revision Petition is filed under Article 227 of Constitution of India, against the fair and final order dated 07.08.2015 made in I.A.No.13 of 2015 in R.C.O.P.No.33 of 2014 on the file of the Rent Controller/Principal District Munsif, Salem.

For Petitioner : Mr.S.Gunalan

ORDER

The Civil Revision Petition is filed against the fair and decreetal order dated 07.08.2015 in I.A.No.13 of 2015 in R.C.O.P.No.33 of 2014 on the file of Rent Controller/Principal District Munsif, Salem.

2.At the time of admission, arguments were heard in length.

3.Learned counsel appearing for the petitioner submitted that the respondent, as a petitioner / landlord, filed an application in I.A.13 of 2015

under Order 26 Rule 9 and Section 151 CPC and Section 18-A of the Tamil Nadu Buildings [Lease and Rent Control] Act for appointment of Commissioner to inspect the suit property and assess the market value of the site, on which, the building is situated prevailing in the month of July 2011 and also the present market value, with the help of a qualified and chartered Civil Engineer and file a report with plan. After hearing both sides, the application was allowed by the trial Court, against which, the present revision has been preferred.

4. On perusal of the typed set of papers, it reveals that the landlord / respondent herein filed I.A.13 of 2015 for appointment of Commissioner to inspect the suit property and assess the market value of the site and property, with the help of a qualified and chartered Civil Engineer for fixation of fair rent and file a report with plan. The petitioner / landlord has filed application in I.A.13 of 2015 to value the property in time, which is numbered improperly.

5. Considering the aforesaid circumstances of the case, I am of the view that the trial Court has rightly considered all the aspects in proper prospective and came to the correct conclusion. Therefore, the order passed by the trial Court does not suffer any infirmity or illegality and it is hereby confirmed. The revision petition deserves to be dismissed and it is hereby dismissed.

6.In the result, the Civil Revision Petition is dismissed. No costs.
Consequently, connected Miscellaneous Petition is closed.

14.12.2015

Index : Yes / No
Internet : Yes / No

To

The Rent Controller/Principal District Munsif, Salem.

R.MALA,J.

sri

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