

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.12.2015

CORAM

THE HONOURABLE MS. JUSTICE R.MALA

C.R.P.(PD).No.645 of 2015
& M.P.No.1 of 2015

S.Thiribieus Raj .. Petitioner / Tenant

Versus

1.G.Ramesh

2.G.Raghu .. Respondents / Landlords

Prayer: Civil Revision Petition is filed under Section 25[c] of the Tamil Nadu Buildings [Lease & Rent Control] Act, to set aside the order passed in M.P.No.21 of 2015 in R.C.A.No.30 of 2015 on the file of VIII Small Causes Court, Chennai dated 13.01.2015 in so far as the condition imposed to pay Rs.3,78,000/- to the respondent or to deposit before the Court on or before 13.02.2015 for the grant of stay is concerned.

For Petitioner : Mr.R.Asokan

For Respondents : Mr.R.Subramanian

ORDER

The Civil Revision Petition has been arising out of the order passed in M.P.No.21 of 2015 in R.C.A.No.30 of 2015 directing the petitioner to deposit a sum of Rs.3,78,000/- to the respondents.

2.The respondents as petitioners / landlords filed petition in R.C.O.P.No.326 of 2012 for eviction on the ground of willful default in payment of monthly rent. The petitioner / tenant raised a defence stating that there is

no landlord-tenant relationship between them. Further, an application was filed by the respondents / landlords in M.P.No.500 of 2014 in R.C.O.P.No.326 of 2012, which was allowed on 17.12.2014, directing the revision petitioner / tenant to deposit Rs.3,78,000/- within the time stipulated. Since the amount has not been deposited, the appeal has been preferred by the revision petitioner / tenant in R.C.A.No.30 of 2015 along with M.P.No.21 of 2015 for setting aside the conditional order. After hearing the arguments on both sides, the trial Court has granted stay in M.P.No.21 of 2015 in R.C.A.No.30 of 2015, on condition that the revision petitioner / tenant has to pay Rs.3,78,000/- to the respondents/landlords, against which, the present revision petition is preferred by him.

3.Heard the learned counsel appearing for the petitioner as well as the learned counsel appearing for the respondent.

4.On perusal of the impugned order passed by the Trial Court, it reveals that the revision petitioner has to pay rent from June 2004 to November 2014. Hence, the trial Court has granted stay in M.P.No.21 of 2015 in R.C.A.No.30 of 2015, on condition that the revision petitioner / tenant is directed to pay Rs.3,78,000/- to the respondents / landlords. In pursuance to the order dated 02.06.2015, the petitioner / tenant has deposited Rs.3,78,000/- as directed by

this Court.

5. Recording the same, this Civil Revision Petition is disposed of, there is an order of stay in R.C.O.P.326 of 2012 till the disposal of R.C.A.No.30 of 2015. The Rent Control Appellate Authority is directed to dispose of R.C.A.No.30 of 2015, within a period of two months from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

16.12.2015

Index : Yes / No

Internet : Yes / No

To

VIII Small Causes Court, Chennai.

R.MALA,J.

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16.12.2015

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