

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2015

CORAM :

THE HONOURABLE MS.JUSTICE R.MALA

C.R.P.(PD) No.3569 of 2007

1.A.Mohammed Yusuf Khan
2.Zeauddin
3.A.Sarbuddin
4.A.Zahir Hussain ..Petitioners

/vs/

1.Proprietor P.R.R.Bhaskaran
M/s Leo Coffee Grinding Works,
Old No.2, New NO.1,
Ranganathan Street,
T.Nagar, Chennai 17.

2.A.S.S.Nagoor Gani ..Respondents

Prayer: This Civil Revision Petition is filed under Section 25 of Tamil Nadu Building(Lease and Rent Control Act), 1973, against the order dated 25.09.2006 made in R.C.A.No.1362 of 2005 on the file of VII Small Causes Court, Chennai reversing the order and decree dated 30.06.2005 made in M.P.No.250 of 2005 in R.C.O.P.No.401 of 2004 on the file of the learned XII Judge, Small Causes Court, Chennai.

For Petitioners :Mr.S.Arulandu

For Respondents :Mr.B.Raviraja for R1

No appearance for R2

ORDER

This Civil Revision Petition has been filed against the order dated 25.09.2006 made in R.C.A.No.1362 of 2005 on the file of VII Small Causes Court, Chennai, reversing the fair and decreetal order dated 30.06.2005 made in M.P.No.250 of 2005 in R.C.O.P.No.401 of 2004 on the file of the learned XII Judge, Small Causes Court, Chennai to implead the fifth respondent as party to the proceedings.

2.Today, when the matter is called, it is represented by the learned counsel appearing for the petitioners that the matter was settled between the parties. So, he sought for permission to withdraw this petition and he has also made an endorsement to that effect.

3.At this juncture, the learned counsel appearing for the first respondent would submit that the petitioners have filed a petition in R.C.O.P.No.401 of 2004 for eviction against the first respondent/tenant on the ground of additional accommodation. During the pendency of the petition, the first respondent has filed a petition in M.P.No.250 of 2005 to implead the other co-owner of the property as party to the proceedings and the same was dismissed on 30.06.2005. Against which, an appeal in R.C.A.No.1362 of 2005

was filed before the VII Small Causes Court, Chennai, which was allowed on 25.09.2006. Against which, the present revision petition has been preferred.

4.The learned counsel appearing for the petitioners would submit that during the pendency of the proceeding, the petitioners herein have filed another Rent Control Original Petition with wrong address. Hence, he objected for withdrawing of the petition.

5.Considered the rival submissions on either side and perused the typed set of papers.

6.The petitioners, who have challenged the impugned order dated 25.09.2006 passed by the VII Judge, Small Causes Court, Chennai, sought permission to withdraw the civil revision petition. Accordingly, this petition is dismissed as not pressed. No costs. Consequently, connected Miscellaneous Petition is also closed.

08.12.2015

Internet:Yes
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R.MALA,J.

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To

1.VII Small Causes Court,
Chennai.

2.XII Judge, Small Causes Court,
Chennai.

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