



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16/2/2015

C O R A M

WEB COPY

THE HONOURABLE Mrs.JUSTICE PUSHPA SATHYANARAYANA

C.R.P.NPD(MD) No.2158 of 2014

1. Nagalakshmi
2. Durgadevi
3. Saravanan
4. Gayathiri ... Petitioners /Appellants/
Respondents/Tenanants

Vs

K. Sampathkumar ... Respondent/Petitioner/Land Lord

Petition filed under Section 25 of the Tamil Nadu Building Lease and Rent Control Act against the fair and executable order dated 9/10/2013 passed by the Principal Subordinate Judge, Madurai in R.C.A.No.20 of 2012 confirming the order passed by the District Munsif, Madurai Taluk in R.C.O.P.No.212 of 2004 dated 8/2/2012.

For petitioner ... Mr.R.Narayaban

For respondent ... Mr.M.Saravanan

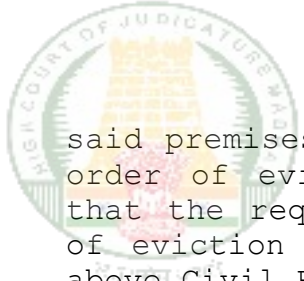
ORDER

The tenants in a Rent Control proceedings are the revision petitioners herein, challenging the order of eviction.

2. The landlord filed the eviction petition on the ground of willful default and owner's occupation. The landlord had submitted that he was running Khadi business in the rented premises as sole proprietor. As he was facing eviction from his landlord on the ground of additional accommodation, the demised premises is sought for his own use and occupation.

3. The tenant resisted the application on various grounds.

4. The Rent Controller by an order dated 8/2/2012 had ordered eviction on the ground of owner's occupation. Aggrieved by the same, the tenants preferred R.C.A.No.20 of 2012 before the Rent Control Appellate Authority, Sub-Court, Madurai. The Appellate authority, considering the submissions made by the tenant that the landlord himself is carrying on his business in a rented premises and that he has been evicted from the



said premises ordered eviction. As the landlord himself had suffered an order of eviction from his landlord, the appellate authority also held that the requirement of the landlord is bonafide and confirmed the order of eviction passed by the Rent Controller. Aggrieved by the same, the above Civil Revision Petition is filed.

5. The learned counsel appearing for the Civil Revision petitioners only pleaded time for evicting the premises. However, the counsel for the respondent resisting the same contending that the original tenant is not there and it has been kept in lock and key without any occupation. Therefore, he objected for the request made by the learned counsel appearing for the petitioners.

6. Considering the above submissions and the length of time the tenants had been in the demised premises, this Court feels that nine months will be sufficient for vacating the premises.

7. Accordingly, nine months time is granted from the date of receipt of the copy of this order to the petitioners to vacate the premises in question and handover the same to the landlord.

8. With the above direction, this Civil Revision Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/
Assistant Registrar

/True copy/

sub Assistant Registrar(c.s)

To

1. The Principal Subordinate Judge,
(Rent Contral Appellate Authirity) Madurai
2. The District Munsif, (Rent Contrallor) Madurai Taluk at Madurai.

Copy to

The Section officer,
VR, Section,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S. R.NARAYANAN, Advocate in SR.No.7533

+1cc to M/S. M.SARAVANAN, Advocate in SR.No. 7233

TS/03.03.2015/2P-6C