

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.06.2016

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

C.R.P.(NPD).No.1910 of 2016

M/s.Mundhra Brother's
represented by its Partner,
Sushil Kumar Mundhra
Old No.119, New No.238,
NSC Bose Road, Chennai - 600 079.

... Petitioner

Vs.

B.Krishnamoorthy

... Respondent

Civil Revision Petition filed under Section 115 of the Civil Procedure Code against the order and decretal order dated 28.04.2015 made in E.P.No.100 of 2014 in R.C.O.P.No.2298 of 2008 on the file of the XVI Judge, Court of Small Causes, Chennai.

For Petitioner : Mr.S.Sundar

For Respondent : Mrs.N.V.Shanthi

ORDER

Pursuant to the order of eviction passed in R.C.O.P.No.2298 of 2008 on the file of the XVI Judge, Court of Small Causes, Chennai, the respondent/landlord filed an Execution Petition in E.P.No.100 of 2014. As

against the order of eviction passed in R.C.O.P.No.2298 of 2008 dated 07.12.2012, the tenant filed an appeal in R.C.A.No.18 of 2013, which was also dismissed by the Rent Control Appellate Authority. Thereafter, the tenant preferred a Civil Revision Petition in C.R.P.(NPD).No.807 of 2014 and this Court also confirmed the order of eviction. Thereafter, the tenant preferred an appeal before the Hon'ble Supreme Court of India, which was dismissed as withdrawn by the tenant.

2. Thereafter, the Rent Controller ordered delivery in E.P.No.100 of 2014 and pursuant to the orders of the Executing Court, the respondent/ landlord took possession of the property on 27.02.2015. The same was also recorded by the Executing Court on 28.04.2015 and the Execution Petition was terminated by the Executing Court. Thereafter, the present Civil Revision Petition has been filed by the Judgment Debtor challenging the order passed by the Execution Court on 28.04.2015.

3. Since the decree passed in R.C.O.P.No.2298 of 2008 has been satisfied and the Execution Petition was also terminated by the Executing Court, I do not find any reason to entertain the Civil Revision Petition.

4.In view of the same, the Civil Revision Petition is dismissed. No costs.

Index : No
Internet : Yes
va

27.06.2016

To

The XVI Judge,
Court of Small Causes,
Chennai.

M.DURAIWAMY,J.
va

C.R.P.(NPD).No.1910 of 2016

27.06.2016