



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 10.06.2016

CORAM

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THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

C.R.P. (MD) No.1108 of 2016

and

C.M.P. (MD) No.5586 of 2016

T.J.Gunaseelan Jeyakumar..Revision Petitioner/Petitioner/Defendant

vs.

Micheal Anthony Gnanachandran

.. Respondent/Respondent/Plaintiff

Prayer: Petition filed under Article 227 of the Constitution of India against the order and decreetal order dated 01.04.2016 made in I.A.No.494 of 2016 in O.S.No.47 of 2009 on the file of the Sub Court, Valliyoor.

For Petitioner : Mr.S.Siva Thilakar

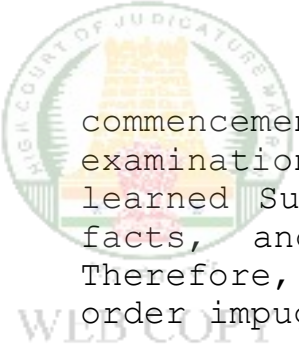
ORDER

This revision is directed against the order passed by the Sub Court, Valliyoor in I.A.No.494 of 2016 in O.S.No.47 of 2009.

2. The respondent filed a suit in O.S.No.47 of 2009 against the petitioner for recovery of Rs.1,00,682/- towards arrears of rent. The petitioner has filed a written statement and contesting the suit. Pending suit, the petitioner filed an application in I.A.No.494 of 2016 to receive an additional written statement contending that the defendant is not a tenant and the Professional Couriers is a tenant and that application was dismissed. Challenging the order, the revision is filed.

3. Heard Mr.S.Siva Thilakar, learned counsel appearing for the petitioner and perused the materials available on record.

4. It is seen that the respondent has filed an eviction petition in R.C.O.P.No.6 of 2006 against the petitioner. Based on the order passed in the eviction petition, the respondent/landlord has issued a notice, dated 20.04.2006 asking for arrears of rent, for which, the petitioner sent a reply under Ex.P.2. After



commencement of trial and when the suit was posted for cross-examination of P.W.1, the present application was filed. The learned Sub Judge, Valliyoor, taken into consideration the above facts, and in my view, rightly, dismissed the application. Therefore, I do not find any illegality or irregularity in the order impugned in the revision.

5. In the result, this Civil Revision Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is also dismissed.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub-Assistant Registrar

To

The Subordinate Judge ,
Valliyoor.

+One cc to Mr.S.Sivathilakar, Advocate, SR.No.29558

ps

RL/3C/2P/NGM/MP/23/6/2016

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