



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.07.2016

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE **K.KALYANASUNDARAM**

C.R.P.(PD)No.1337 of 2016
and
C.M.P.(MD) No.6405 of 2016

C.Parameswaran ... Petitioner/Petitioner/
Respondent (Tenant)

Vs.

V.Johnsi ... Respondent/Respondent/
Petitioner (Landlord)

PRAYER: Civil Revision Petition filed under Section 227 of Constitution of India against the order passed in I.a.No.57 of 2016 in R.C.O.P.o.1/14 dated 26th February 2016 on the file of the Rent Controller-cum-District Munsif Court at Sattur, Virudhunagar District.

For Petitioner : Mr.C.S.Sri Ram
For Respondent : No appearance

O R D E R

This revision is directed against the order of the Rent Controller (District Munsif Court) at Sattur made in I.A.No.57 of 2016 in R.C.O.P.No. 1 of 2014.

2.The respondent as the landlady initiated eviction proceedings against the petitioner under Section 14(1)(b) of the Tamil Nadu Buildings (Lease and Rent Control) Act. In the earlier Civil Revision Petition in C.R.P.No.2119 of 2015, an Advocate Commissioner was appointed and after inspection, he filed a report along with plan. While so, the tenant filed a petition in I.A.No. 57 of 2016 to reject the report of the Engineer on the ground that the report was not filed by a qualified Engineer. The application was dismissed by the Rent Controller. Aggreived over the order of the Rent Controller, the present Civil Revision Petition is filed.

3. Heard the learned counsel appearing for the petitioner and perused the materials available on records.

4. It is seen that the eviction petition was filed on the ground of demolition and reconstruction. The Advocate Commissioner has filed his report along with a plan.



5. The grievance of the petitioner is that the Engineer, who has given the report, is not qualified. The Rent Controller dismissed the application observing that the validity of the document can be decided after trial. I do not find any illegality or infirmity in the order of the Rent Controller. The learned Rent Controller shall decide the issue without being influenced by any of the observation made in the order.

6. Accordingly, this Civil Revision Petition is dismissed. No costs. Consequently, connected C.M.P.(MD) No.6405 of 2016 is also dismissed.

Sd/-
Assistant Registrar(AS)

/TRUE COPY/

Sub Assistant Registrar

To
The Rent Controller-cum-District Munsif Court at Sattur,
Virudhunagar District.

+1cc to Mr.R.Pandi Maharaja, Advocate, SR NO: 34743
+1cc to Mr.P.Arumugam, Advocate in SR NO:34960

cm
JA-GSV-PM-13.7.2016/2p:4C

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