

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

CIVIL RIVISION PETITION NO.3908 of 2016

ORDER:

While granting a stay of decree for possession, the First Appellate Court has imposed a condition that the respondent/tenant should deposit Rs.25,000/- towards arrears of rent. The petitioner was aggrieved by the grant of stay. Hence the present revision.

However, when a regular appeal is filed as against a decree for possession, a stay is inevitable. It can only be subject to one condition, viz., that the entire arrears are deposited. The Court below has directed to deposit the arrears. Therefore there is no reason to interfere with the impugned order. The Civil Revision Petition is dismissed. The First Appellate Court may endeavour to dispose of the first appeal as early as possible. There shall be no order as to costs.

As a sequel, pending miscellaneous petitions if any, shall stand closed.

JUSTICE V. RAMASUBRAMANIAN

9th September, 2016
Js.