

HON'BLE SRI JUSTICE RAMESH RANGANATHAN

CIVIL REVISION PETITION NO.3054 OF 2016

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ORDER:

This revision, under Section 22 of the A.P. Buildings (Lease, Rent & Eviction) Control Act, 1960, is preferred against the order passed by the Additional Chief Judge, City Small Causes Court, Hyderabad in R.A. No.245 of 2015 revising the fair rent, fixed by the trial Court at Rs.800/- per month, to Rs.1600/- per month.

The petitioner herein is the tenant and is the respondent in RC No.36 of 2015 filed by the respondent-landlord herein seeking fixation of fair rent at Rs.4,000/- per month. The Trial Court, considering the fact that the subject mulgi was only 40 square feet, fixed the fair rent at Rs.800/- per month. In appeal, the Additional Chief Judge, City Small Causes Court, Hyderabad modified the order passed by the Rent Controller and fixed the fair rent, of the petition schedule property, at Rs.1600/- per month.

In the order under revision, the Court below observed that the petition schedule property was adjoining Gokul Chat a World famous eating joint; the second respondent, in his cross-examination, had stated that he was paying rent at Rs.550/- per month since July, 2013; no convincing material was placed in support of such a plea; the appellant had contended that the rent of the petition schedule property remained at Rs.550/- per month since long; fixation of fair rent by the trial Court, at Rs.20/- per month, was on the lower side; and keeping in mind the escalation of prices and the cost of living, and taking judicial notice of the enormous increase in rental values, the fair rent should be fixed at Rs.40/- per square feet i.e., at Rs.1600/- per month.

The subject property is in a popular and well known commercial area near Koti Chowrastha where Koti Women's college and a Medical college are located. It is also near the Head office of Andhra Bank. Fixation of fair rent at Rs.1600/- per month for a mulgi in such a busy commercial area, cannot be said to be unreasonable. I see no reason, therefore, to exercise jurisdiction under Section 22 of the Act to interfere with the order under revision. The revision fails and is, accordingly, dismissed. The

miscellaneous petitions pending, if any, shall also stand dismissed. No costs.

RAMESH RANGANATHAN, J

Date: 01.07.2016.
MRKR