

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **07.06.2017**

CORAM:

THE HONOURABLE MR.**JUSTICE K.K.SASIDHARAN**

C.R.P.(N.P.D.) Nos. 1360 and 1361 of 2011

and 4454 of 2010

C.R.P.(N.P.D.) No.1360 of 2011

Senorita Garments

Vs

...Petitioner

C.V.Manigandan

...Respondent

Prayer:- Civil Revision Petition filed under Section 25 of the Tamilnadu Buildings(Rent Control), to set aside the Judgment and Decree passed in R.C.A.No.560 of 2006 dated 27.04.2010 on the file of the learned VII Judge Small Causes Court at Chennai confirming the order and decretal order passed in R.C.O.P.No.1631 of 2005 dated 01.02.2006 on the file of the learned Judge XIV Small Causes Court at Chennai.

C.R.P.(N.P.D.) No.1361 of 2011

Senorita Garments

Vs

...Petitioner

C.V.Manigandan

...Respondent

Prayer:- Civil Revision Petition filed under Section 25 of the Tamilnadu Buildings(Rent Control), to set aside the Judgment and Decree passed in R.C.A.No.399 of 2006 dated 27.04.2010 on the file of the learned VII Judge Small Causes Court at Chennai confirming the order and decretal order

passed in R.C.O.P.No.1631 of 2005 dated 01.02.2006 on the file of the learned Judge XIV Small Causes Court at Chennai.

C.R.P.(N.P.D.) No.4454 of 2010

C.V.Manigandan		... Petitioner
	Vs	
Senorita Garments		... Respondent

Prayer:- Civil Revision Petition filed under Section 25 of the Tamilnadu Buildings(Rent Control), to set aside the Decree and Judgment (Order) dated 27.04.2010 made in R.C.A.No.399 of 2006 by the VII Judge(Appellate Authority) Small Causes Court, Chennai.

For Petitioner : Mr.K.P.Gopalakrishnan
in CRP(NPD) Nos.1360 and 1361 of 2011

Mr.K.P.Ashok in CRP(NPD)No.4454 of 2010

For Respondent : Mr.K.P.Ashok
in CRP(NPD) Nos.1360 and 1361 of 2011

Mr.K.P.Gopalakrishnan
in CRP(NPD)No.4454 of 2010

ORDER

These three Civil Revision Petitions are directed against the judgment and decree dated 27 April 2010 in R.C.A.Nos.560 and 399 of 2006 on the file of the Learned Judge VII Small Causes Court at Chennai, revising the rent fixed by the Learned XIV Judge, Small Causes Court, Chennai in R.C.O.P.No.1631 of 2005.

2. The petitioner in CRP (NPD)No.4454 of 2010, who is the landlord of the premises in question, filed R.C.O.P.No.1631 of 2005 for fixation of rent. The Trial Court assessed the fair rent at Rs.11,344/- per month. The order was challenged by the landlord in CRP.No.4454 of 2010. The very same order is the subject matter at the instance of the tenant in CRP.Nos.1360 and 1361 of 2011.

3. The parties have settled the issue regarding the fair rent. The landlord agreed to receive a sum of Rs.13,000/- per month with effect from 1st June 2017 without prejudice to his right in the pending rent control eviction proceedings. Similarly, the tenant has also agreed to pay a sum of Rs.13,000/- per month from 1st June 2017 onwards. The amount paid so far at the rate of Rs.13,450/- by the tenant to the landlord would be given credit and there is no need for refund of the excess. The learned counsel for the parties have made an endorsement to that effect.

4. This understanding is only in the matter of payment of rent and it has nothing to do with the eviction proceedings pending before the Rent Control authority. In short, the compromise arrived at among the parties with regard to the fixation of rent would not have any bearing on the eviction proceedings now pending before the competent authority.

5. The Civil Revision Petitions are disposed of as indicated above. No costs.

07.06.2017

si/arr

Note: Issue order copy on 16.06.2017

K.K.SASIDHARAN,J.

si /arr

To

The District Munsif Court,
Ranipet, Vellore District.

**C.R.P.(P.D.) Nos. 1360, 1361 of
2011 and 4454 of 2010**

07.06.2017

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