

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2015

CORAM

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

C.R.P. (NPD) Nos. 2592 and 2593 of 2015 and
M.P.No.1 of 2015 in CRP.No.2592 of 2015

1.Sengathir
2.Velmurugan

Petitioners in both
Petitions/Tenants)

vs.

1.Kanageswari
2.Balasubramaniam

Respondents in both Petitions/Landlords

Civil Revision Petitions filed under Section 25 of the Tamil Nadu Buildings (Lease and Rent Control) Act, against the Fair and Final Orders dated 22.09.2014 in R.C.A.Nos.1 and 2 of 2014 on the file of Rent Control Appellate Authority (Principal Subordinate Judge, Salem) reversing the fair and final orders dated 21.11.2013 in R.C.O.P.Nos.17 of 2010 and R.C.O.P.No.7 of 2011 respectively on the file of Rent Controller of Salem (1st Additional District Munsif).

For Petitioner : Mr.R.Nalliyappan

For Respondents : Mr.D.Shivakumaran

C O M M O N O R D E R

The revision petitioners are the tenants and the first respondent herein is the landlord.

2. While the respondents herein filed R.C.O.P.No.17 of 2010 on the file of Rent Controller, Salem, for eviction on the ground of willful default under Section 10(2)(i) (a) of Tamil Nadu Buildings (Lease and Rent Control) Act, the petitioners herein filed R.C.O.P.No.7 of 2011 under Section 8 (2)(4) & (5) of the T.N.B.L.R.Act, to deposit the rent into the Court for the month of December 2010 and January 2011 and continue to deposit the future rents.

3. By a common order dated 21.11.2013, the Rent Controller allowed the petition for eviction in R.C.O.P.No.17 of 2010 and dismissed the petition filed by the petitioners in R.C.O.P.No.7 of 2011.

4. Aggrieved over the same, the revision petitioners filed R.C.A.Nos.1 and 2 of 20014 on the file of the Rent Control Appellate Authority (Principal Subordinate Judge) Salem. The Appellate Authority rejected the appeals by judgment, dated 22.09.2014. Challenging the same, the petitioners have come up with this revision petitions.

5. Heard both sides.

6. Today when the matters are taken up for hearing, Mr.Velmurugan, the 2nd petitioner herein filed an affidavit on his behalf and on behalf of the first petitioner. In the said affidavit, the petitioners agreed to vacate the premises within a period of twelve months from today. The affidavit filed by the petitioners is recorded.

7. In such circumstances, the revision petitioners shall occupy the premises upto a maximum period of one year from today i.e., 13.10.2015, as per the undertaking and shall also pay future rents without any default.

8. Recording the undertaking affidavit filed by the petitioners, this Civil Revision Petitions are disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

1. Rent Controller of Salem (1st Additional District Munsif).
2. Rent Control Appellate Authority (Principal Subordinate Judge, Salem)

+1 cc to Mr.R.Nalliyappan, Advocate (sr.56897)
+1 cc to Mr.D.Shivakumar, Advocate (sr.56456)

C.R.P. (NPD) Nos.2592 and 2593 of 2015

TEJ(co)
cp 28/10/2015