

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2017

CORAM

THE HON'BLE MR. JUSTICE **D. KRISHNAKUMAR**

CRP.NPD.No.3281 of 2016 and
C.M.P.Nos.16683, 19990 of 2016
and 8506 and 8507 of 2017

Gunaseelan

..Petitioner

Vs.

Paravathy

..Respondent

PRAYER:

The Civil Revision Petition is filed under Section 25 of the Tamil Nadu Buildings (Lease and Rent Control) Act, 1960 to set aside the fair and decreetal order 10.06.2016 made in RCA No.5 of 2014 on the file of the Sub Court (Rent Control Appellate Authority) Tirupattur, Vellore confirming the fair and decreetal order dated 30.10.2014 made in R.C.O.P.No.20 of 2012 on the file of the Principal District Munsif, (Rent Controller) Tirupattur.

For petitioner : Mr.A.P.Srinivas

For respondent : Mr.S.Subbiah

ORDER:

The petitioner has filed this Civil Revision Petition to set aside the fair and decreetal order 10.06.2016 made in RCA No.5 of 2014 on the file of the Sub Court (Rent Control Appellate Authority) Tirupattur, Vellore confirming the fair and decreetal order dated 30.10.2014 made in R.C.O.P.No.20 of 2012 on the file of the Principal District Munsif, (Rent Controller) Tirupattur.

2. The learned counsel for the petitioner would submit that the respondent herein filed a petition in RCOP.No.20 of 2012 to vacate the petitioner herein from the premises and the petition was allowed. Pursuant to that, the petitioner herein filed an appeal in RCA.No.5 of 2014 in RCOP.No.20 of 2012 on the file of the Sub Court, Tirupattur to set aside the fair and decreetal order passed in RCOP.No.20 of 2012. But, the said appeal was dismissed and the order in the above RCOP was confirmed. Hence, the petitioner has filed this Civil Revision Petition.

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3. On 15.06.2017, both the counsels argued the matter. After the arguments, both the parties agreed that an undertaking will be filed before this Court by each of the parties.

4. Today, when the matter is taken up for hearing, an Undertaking affidavit, dated 22.06.2017 filed by the petitioner placed on record wherein the petitioner undertakes to vacate the demised property and hand over the same to the respondent / landlord on or before 31.12.2017. The respondent / landlord also filed undertaking affidavit, dated 22.06.2017 before this Court by stating that on surrendering of vacant possession of the demised property, the respondent / landlord will commence the demolition of the building. The Undertaking affidavits filed by the both parties shall form part of this Order.

5. Recording the Undertakings filed by both parties, the Civil Revision Petition is disposed of with the above directions. No costs. Consequently connected miscellaneous petitions are closed.

6. Therefore, the Civil Revision Petition is disposed of with above terms. Consequently, connected miscellaneous petitions are closed. No costs.

22.06.2017

Speaking/Non-speaking order
Index : Yes/No
Internet : Yes/No
lok

D.KRISHNAKUMAR.J,

lok

To
The Appellate Authority(Rent Control)
cum Subordinate Judge,
Tirupattur.



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