



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2017

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

C.R.P(NPD) (MD)No.784 of 2017

and

C.M.P(MD)No.3573 of 2017

R.M.Sheriff Deen ... Petitioner/Appellant/Respondent/
Tenant.

vs.

Rafeeq @ Mohammed Rafeeq ... Respondent/Respondent/Petitioner/
Landlord.

Civil Revision Petition filed under Section 25 of the Tamil Nadu Buildings (Lease and Rent Control Act), 1960, against the Judgment and Decree order dated 13.03.2017 made in R.C.A.No.15 of 2016 on the file of the Rent Control Appellate Authority (Principal Subordinate Judge (FAC), II Additional Subordinate Judge) Trichirappalli, confirming the fair and decreetal order dated 27.10.2015 in R.C.O.P.No.31 of 2014 on the file of the Rent Controller (Principal District Munsif Court), Trichirappalli.

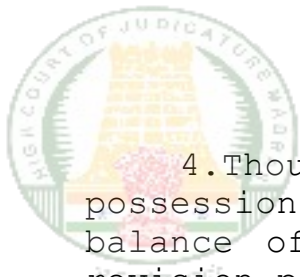
For Petitioner : Mr.P.Jayaprakash Narayan
For Respondent : Mr.V.R.Venkatesan

ORDER

After hearing the counsel for both the parties, this court found that there is no merit in the revision petition and the tenant who is the revision petitioner herein is liable to vacate the premises as per the order passed by the Rent Controller and the same has been confirmed by the Rent Control Appellate Tribunal.

2.At that juncture, the counsel for the revision petitioner submitted that since his livelihood depends upon the business running in the suit premises, to find out alternate place and to shift his shop, he needs six months time and he undertakes to vacate the premises and hand over the possession by 01.11.2017.

3.The respondent/landlord submitted that he is running a business in the rented premises and he is suffering eviction proceedings at the hands of his landlord and therefore, it is imperative for him to get the suit premises as early as possible and if the revision petitioner can evict the premises by four months, it will be helpful for him to shift his business immediately.



4. Though the landlord is now entitled for the vacant possession, it is only a matter of time and considering the balance of convenience of both the parties, the request of the revision petitioner/tenant appears to be genuine.

5. Hence, placing on record the undertaking given by the revision petitioner, this Civil Revision Petition is disposed of directing the revision petitioner to vacate and hand over the premises to the respondent/landlord on or before 31.10.2017. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar. (RTI)

/True Copy/

Sub Assistant Registrar.

To

- 1) The Rent Control Appellate (Tribunal)
The Principal Subordinate Judge (FAC),
II Additional Subordinate Judge,
Trichirappalli.
- 2) The Rent Controller,
Principal District Munsif Court,
Trichirappalli.

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