

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.03.2018

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

CRP(PD).No.1142 of 2017
and CMP.No.5471 of 2017

N.Mohankumar

.. Petitioner

Vs.

G.Parthasarathy

.. Respondent

PRAYER: Civil Revision Petition filed under Section 25 of the Tamil Nadu Buildings (Lease and Rent Control Act, 1960 against the fair and decreetal order dated 20.01.2017 in I.A.No.9 of 2016 in R.C.A.No.4 of 2015 on the file of the Rent Control Appellate Authority cum Sub Court, Mannargudi.

For Petitioner : Mr.K.Selvaraj

For Respondent : Mrs.P.T.Ramadevi

WEB * * * * * COPY
ORDER

This Civil Revision Petition is filed against the fair and decreetal order dated 20.01.2017 in I.A.No.9 of 2016 in R.C.A.No.4 of 2015 on the

file of the Rent Control Appellate Authority cum Sub Court, Mannargudi.

2. According to the revision petitioner, the conditional order passed by this Court on 23.03.2017 has been complied with and the amount ordered has been deposited by the revision petitioner before the Rent Control Appellate Authority, Sub Court, Mannargudi. In future also the petitioner shall continue to deposit the monthly rents to the credit of R.C.O.P.No.14 of 2012 on the file of the Rent Controller, District Munsif Court, Mannargudi, without any default till the disposal of the Civil Revision Petition.

3. The counsel for the respondent requested this Court to permit him to withdraw the above said amount deposited by the revision petitioner, now lying with the Rent Control Appellate Authority. In the light of the above facts, the revision petitioner has no serious objection to withdraw the above said amount, now lying with the Appellate Court.

4. By considering the above said facts, the respondent is permitted to file an appropriate application before the Appellate Court for seeking withdrawal of the aforesaid amount, and in future also, it is open to the respondent to file an appropriate application, for withdrawal, till the

disposal of the Civil Revision Petition.

5.Both the parties represented that in the light of the above said order, this Court may pass an appropriate orders to dispose of the R.C.A.No.4 of 2015, within the time as may be fixed by this Court.

6.By considering the submissions made by the parties, this Court is inclined to pass the following orders:

(i) Without prejudice to the rights of the parties, the revision petitioner has to comply the order passed in I.A.No.9 of 2016 in R.C.A.No.4 of 2015 till the pending disposal of the R.C.A.No.4 of 2015;

(ii) The respondent is also permitted to withdraw, if any amount deposited before the Appellate Court in compliance to the order passed in the aforesaid I.A.No.9 of 2016 in R.C.A.No.4 of 2015;

(iii) Both the parties are undertaking to co-operate for speedy disposal of R.C.A.No.4 of 2015; and

(iv) The Rent Control Appellate Authority, Sub Court, Mannargudi is directed to dispose of

R.C.A.No.4 of 2015 as expeditiously as possible on merits and in accordance with law, preferably within a period of three months from the date of receipt of a copy of this order.

7. Accordingly, the Civil Revision Petition stands disposed of with the above directions. No costs. Consequently, the connected Miscellaneous Petition is closed.

23.03.2018

Speaking/Non-Speaking order

Index :Yes/No

Internet:Yes/No

ah

Note: Issue Order Copy on **27.03.2018**

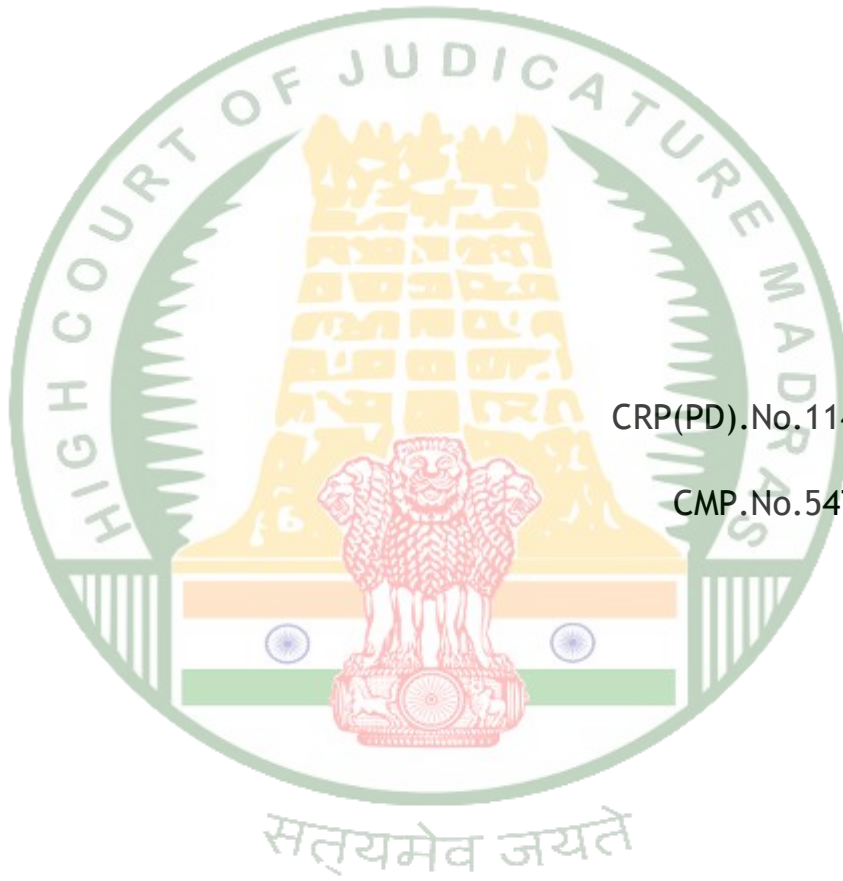
To

The Rent Control Appellate
Authority cum Sub Judge,
Mannargudi.

WEB COPY

D. KRISHNAKUMAR J.,

ah



CRP(PD).No.1142 of 2017
and
CMP.No.5471 of 2017

WEB COPY

23.03.2018