

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **10.05.2018**

CORAM

THE HONOURABLE **MR. JUSTICE P.D.AUDIKESAVALU**

**CRP.(NPD)No.1652 of 2018
and CMP.No.8979 of 2018**

M/s.CITA Foods Pvt.Ltd.,
Represented by its Managing Director,
Ciro Cattaneo
'Bella Ciao'
Old No.4, New No.3/674
Shree Krishna Enclave,
Kottivakkam, Chennai 41.

.. Petitioner

.Vs.

1.K.Ashok Kumar
2.A.Vijayalakshmi
3.S.Sangamithra

.. Respondents

Prayer : Civil Revision Petition filed under Section 25 of the Tamil Nadu Buildings (Lease and Rent Control) Act 18 of 1960 to aside the fair and decretal order dated 20.03.2018 passed in R.C.A.No.9 of 2016 on the file of the Sub Court,(Rent Control Appellate Authority) Tambaram, confirming the fair and decretal order dated 07.01.2016 passed in R.C.O.P.No.6 of 2013 on the file of the District Munsif Court, (Rent Controller) Alandur.

For Petitioner : Mr.S.Rajasekar

For Respondents : Ms.Swathy
for M/s.R.Thiagarajan

ORDER

This Civil Revision Petition has been filed by the petitioner to set aside the fair and decretal order dated 20.03.2018 passed in R.C.A.No.9 of 2016 on the file of the Sub Court (Rent Control Appellate Authority), Tambaram, confirming the fair and decretal order dated 07.01.2016 passed in R.C.O.P.No.6 of 2013 on the file of the District Munsif Court, (Rent Controller) Alandur.

2. On a perusal of the impugned order, this Court does not find any infirmity warranting interference in the exercise of the revisional powers under Section 25 of the Tamil Nadu Buildings (Lease and Rent Control) Act, 1960. At that stage, the learned counsel appearing for the petitioner submitted that the petitioner may be granted time till 30.11.2018 for vacating from the petition premises and would continue to pay monthly rent of Rs.50,000/- after deducting TDS to the respondent/landlord. The petitioner has also filed an affidavit of undertaking to that effect.

3. In response to the submissions made by the learned counsel for the petitioner/tenant that the advance amount of Rs.3,00,000/- deposited by the petitioner/tenant to the respondent/landlord may be

returned at the time of vacating premises, the learned counsel for the respondent/landlord has agreed for the same and has made an endorsement to that effect in the Court records which is recorded.

4. Accordingly, the Civil Revision Petition is dismissed and the petitioner/tenant is granted time till 31.11.2018 for vacating from the petition premises. It is made clear that if the petitioner fails to vacate from the petition premises on or before aforesaid date, the respondent/landlord is entitled to proceed for execution of the order of the eviction in E.P.No.30 of 2016 which is stated to be pending on the file of the Principal District Munsif Court, Alandur. The said Execution Petition which is stated to be posted for next hearing on 22.06.2018 shall stand adjourned to 03.12.2018 for appropriate further orders. No costs. Consequently, connected miscellaneous petition is closed.

सत्यमेव जयते

10.05.2018

Index : Yes/No

Internet : Yes/No

speaking order/Non speaking order

kkd

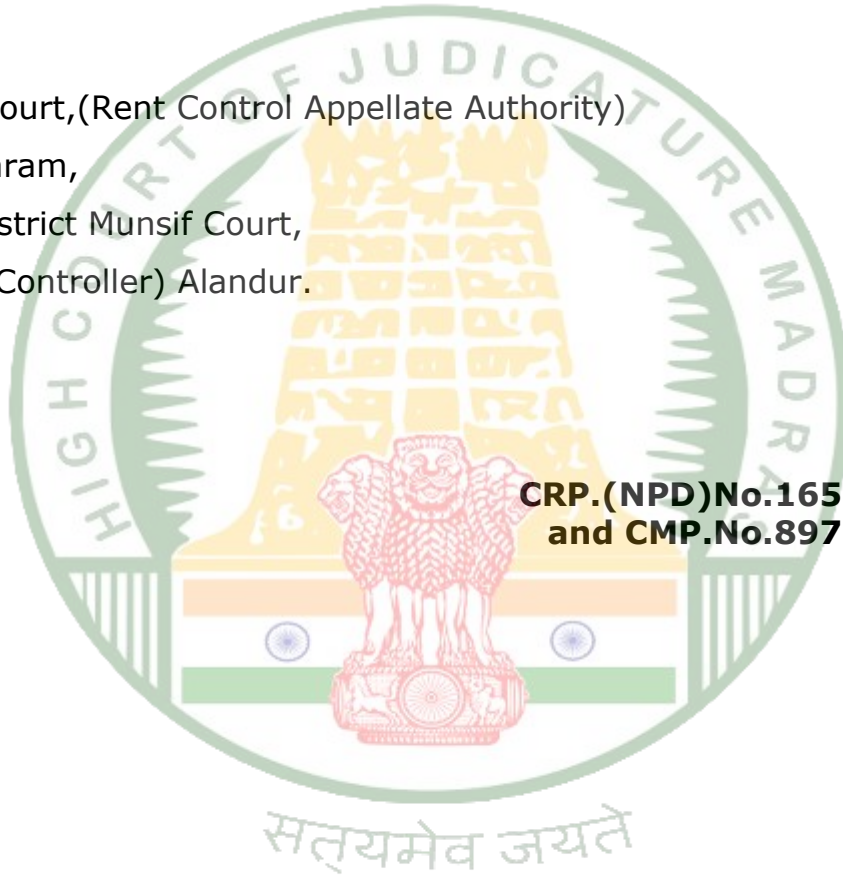
Note: Issue order copy by 14.05.2018

P.D.AUDIKESAVALU,J.

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To

1. Sub Court,(Rent Control Appellate Authority)
Tambaram,
- 2.The District Munsif Court,
(Rent Controller) Alandur.



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