



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Wednesday, the Seventh day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

**CMP(MD) No.1489 of 2018 & 1106 of 2016
IN
CRP(MD) No.276 of 2016**

CMP(MD) No.1489 of 2018 IN CRP(MD) No.276 of 2016:

M.RAMLINGAM

... PETITIONER/RESPONDENT/
LANDLORD

Vs

P.RAMESH @ MANICKAM

... RESPONDENT/PETITIONER/
TENANT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to vacate the interim stay granted in CMP No.1106 of in CRP No.276 of 2016 dated 8.2.2016 pending before this Honourable and thus render justice.

CMP(MD) No.1106 of 2016 IN CRP(MD) No.276 of 2016:

P.RAMESH @ MANICKAM

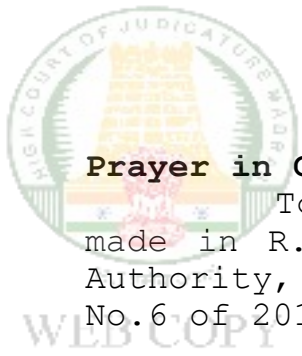
... PETITIONER/PETITIONER

Vs

M.RAMLINGAM

... RESPONDENT/RESPONDENT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to STAY the operation of eviction order dated 12.06.2014 made in RCOP No.6 of 2013 on the file of Rent Control Authority, Theni as confirmed in the order dated 05.11.2015 made in RCA No.1 of 2015 on the file of Rent Control Appellate Authority, Theni pending disposal of the above CRP(MD)No.276 of 2016 and thus render justice.

**Prayer in CRP(MD) .276/2016:**

To set aside the fair and decreetal order dated 05.11.2015 made in R.C.A.No.1 of 2015 on the file of Rent Control Appellate Authority, Theni confirming the order dated 12.06.2014 made in RCOP No.6 of 2013 on the file of Rent Control Authority, Theni.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.A.P.ATHITHAN, Advocate for the petitioner in CMP(MD)No.1489/2018 IN CRP(MD) No.276/2016 and Respondent in CMP (MD)No.1106/2016 IN CRP(MD) No.276/2016 and M/S.P.THIYAGARAJAN, Advocate for the Petitioner in CMP(MD) No.1106/2016 IN CRP(MD) No.276/2016 and Respondent in CMP(MD)No.1489/2018 IN CRP(MD) No.276/2016, the court made the following order:-

The learned Counsel for the Landlord would submit that the tenant has paid the arrears of rent amount upto 21.06.2017. Subsequently, he has not paid the rent amount and hence he prays to vacate the interim stay granted in CMP No.1106 of 2016.

2. Heard the learned Counsel on either side.

3. The learned Counsel for the tenant would submit that the tenant is ready to pay the arrears amount till date, without prejudice to the contention raised in the main petition.

4. In view of the submission, the tenant is directed to pay the arrears amount till date and the tenant is also directed to pay the monthly rent, before the 5th of every English calender month, without prejudice to the contention raised in the main petition.

5. With the above direction the vacate stay petition in CMP (MD) No.1489 of 2018 is closed. The Interim stay granted by this Court on 08.02.2016 is made absolute.

6. Post the Civil revision petition for final hearing on 12.04.2018.

sd/-
07/03/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

THE RENT CONTROL APPELLATE AUTHORITY,
THENI.

- +1. C.C. to M/S.P.THIYAGARAJAN, Advocate SR.No.3637
- +1. C.C. to M/S.T.R.SUBRAMANIAN, Advocate SR.No.3670

ORDER
IN
CMP (MD) No.1489 of 2018
IN
CRP (MD) No.276 of 2016
Date :07/03/2018

PK/RR-CSL/SAR-3/15.03.2018 : 3P/4C