



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:13.04.2018

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

C.R.P. (MD) No.196 of 2014 (PD)
and
M.P. (MD) No.1 of 2014

T.S.Govindarajan ...Petitioner/Respondent/Respondent.

Vs.

Meharunnisha ...Respondent/Petitioner/Petitioner.

PRAYER: Petition filed under Article 227 of the Constitution of India, to set aside the fair and decretal order of the Rent Controller (Principal District Munsif), Kumbakonam dated 20.11.2013 in I.A.No.57 of 2013 in R.C.O.P No.29 of 2002.

For Petitioner : Mr.Raguvaran Gopalan

For Respondent : Mr.B.Jameelarasu

ORDER

The learned counsel appearing for the petitioner states that this Civil Revision Petition has been filed by the tenant against an order appointing an Advocate Commissioner pending the petition for eviction in R.C.O.P.No.29 of 2002 on the file of the Rent Controller (Principal District Munsif), Kumbakonam.

2.The learned counsel appearing for the petitioner states that R.C.O.P No.29 of 2002 itself is dismissed for default and therefore, the petitioner cannot prosecute the present revision petition as on date. However, the learned counsel appearing for the petitioner states that the petitioner should be given liberty to file a fresh application, in case, the said R.C.O.P is restored once again. Since the revision petitioner is not the petitioner before the rent controller, this request is not appropriate.

3.The learned counsel for the respondent states that he has to get instructions from his client.

4.This Court is inclined to pass an order without prejudice to the rights of both parties in this revision petition.

5.Accordingly, this Civil Revision Petition is dismissed as infructuous giving liberty to the petitioner, to file a petition to restore this Civil Revision Petition, in case, the R.C.O.P is



restored on file. No costs. Consequently, M.P(MD)No.1 of 2014 is closed.

Sd/-

Assistant Registrar(AS)

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/True Copy/

Sub Assistant Registrar

To
The Rent controller,
(Principal District Munsif),
Kumbakonam

+1cc to Jameel Arasu, Advocate, SR.No.61407

C.R.P. (MD)No.196 of 2014 (PD)
and

M.P. (MD)No.1 of 2014
13.04.2018

RMI

AM/SV MMS/SAR 2/25.05.2018/2P/3C