



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 10.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
C.R.P. (NPD) (MD) .No.1466 of 2018

and

C.M.P. (MD) .No.6326 of 2018

A.Mayil ... Revision Petitioner/Respondent/Tenant
Vs
P.Thiagarajan ... Respondent/Petitioner/Landlord

PRAYER : Petition filed under Section 115 of Civil Procedure Code to call for the recods and the file relating to the proceeding in T.C.T.P.No.18 of 2005 on the file of the Special Deputy Collector, Revenue Court, Madurai, set aside the order dated 05.12.2016 passed in the said T.C.T.P.No.18 of 2005.

For Petitioner : Mr.P.Sivasubramanian
For Respondent : Mr.M.Saravanan
for Mr.R.Subramanian

ORDER

The respondent herein filed T.C.T.P.No.18 of 2005 before the Revenue Court, Madurai. The revision petitioner is a cultivating tenant. The Court below by order dated 05.12.2016 fixed the lease rent at Rs.36.25/- per cent. The prayer in the T.C.T.P.No.18 of 2005 was for directing the tenant to pay the arrears from the year 1993 onwards. The order passed by the Court below is impugned by the cultivating tenant on two grounds. He would contend that the quantum of lease rent has been erroneously fixed. He further contended that the landlord could not have claimed arrears beyond the period of three years.

2.Heard the learned counsel on either side.

3.I am of the view that no case has been made out for interfering with regard to the quantum of lease rent. But then, the landlord could not have asked for arrears beyond a period of three years. The claim for lease rental from the year 1993 to 2002 is clearly time barred. To that extent, the order impugned in this Civil Revision Petition is set aside.

4.Accordingly, this Civil Revision Petition is partly allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

/True Copy/



To

The Special Deputy Collector,
Revenue Court, Madurai.

+1CC to Mr.R.Subramanian, Advocate, SR.No.89970

+2CC to Mr.P.Sivasubramanian, Advocate, SR.No. 90221, 89855

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PNN

ES/RP/SAR 4/12.11.2018/2P/5C