



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.09.2018

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WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD).No.729 of 2016 and  
C.M.P.(MD)No.3474 of 2016

P.Arun Kannan

... Petitioner/Respondent/  
Petitioner/Tenant

Vs.

B.Muthuchamy

... Respondent/Petitioner/  
Respondent/Landlord

PRAYER : Civil Revision Petition is filed under Section 25 of Tamil Nadu Buildings (Lease and Rent Control) Act, 1960, to call for the records and set aside the fair and executable order dated 02.02.2016 passed in I.A.No.48 of 2015 in R.C.A.No.2 of 2015 on the file of the learned Subordinate Judge cum Rent Control Appellate Authority, Theni and thus allow this Civil Revision petition.

For Petitioner : No appearance.

For Respondent : Mr.Pala Ramasamy

### O R D E R

The Revision petitioner is the tenant. Aggrieved by the order of eviction made in R.C.O.P.No.10 of 2013 on the file of the learned Rent Controller(District Munsif), Theni, the tenant filed R.C.A.No.2 of 2015. In the said R.C.A., the landlord filed I.A.No.48 of 2015 under Section 11(3) and (4) of Tamil Nadu Buildings (Lease and Rent Control) Act. The said application was allowed by order dated 02.02.2016. Questioning the same, this Civil Revision petition has been filed.

2. This Court while admitting the Civil Revision petition, passed a conditional order of stay. The said condition was not complied with by the tenant. Therefore, R.C.A.No.2 of 2015 itself got dismissed. Therefore, when the main R.C.A., itself filed by the tenant was dismissed, challenge to the interim order passed in the



R.C.A., will no longer survive. Therefore, this Civil Revision petition stands dismissed as infructuous. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-  
Assistant Registrar (RECORDS)

Sub Assistant Registrar (CS-III)

To

1. The Subordinate Judge cum Rent Control Appellate Authority,  
Theni.
2. The Record Keeper, V.R.Section,  
Madurai Bench of Madras High Court, Madurai. 2COPIES

+ 1 CC TO Mr.K.KARUPPASAMY , ADVOCATE IN SR No. 83520.

• 1 CC TO Mr.PALA RAMASAMY , ADVOCATE IN SR No. 83642.

PMU

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