



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.04.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

C.R.P. (PD) (MD) No.164 of 2013

in

M.P. (MD) No.2 of 2013

Balayee

:Revision Petitioner / Appellant
/ Respondent / Tenant

vs.

1.M.Yogeswari

2.P.Manickam

:Respondents / Respondents
Petitioner / Landlord

PRAYER: Civil Revision Petition filed under Section 25 of the Tamilnadu Buildings (Lease and Rent Control) Act, as against the fair and decreetal order dated 03.09.2012 in R.C.A.No.4 of 2012, on the file of the learned Rent Control Appellate Authority cum Sub Judge, Devakottai, confirming the fair and decreetal order dated 07.12.2011 in R.C.O.P.No.1 of 2011, on the file of the learned Rent Control Tribunal-cum-Rent Controller (District Munsif), Devakottai.

For Petitioner

: Mr.VR.Shanmuganathan

For Respondents

: Mr.R.Sundar Srinivasan

ORDER

This is a case, where, the tenant is the revision petitioner. It is stated by the petitioner that the landlord / respondent filed a petition for eviction on the ground of wilful default. It is stated that the tenant has admitted the tenancy as well as the non-payment. It is in these circumstances, the Rent Controller / District Munsif, Devakottai has passed an order of eviction in R.C.O.P.(MD)No.1 of 2011. Aggrieved by the same, the revision petitioner has preferred an appeal in R.C.A.No.4 of 2012, before the learned Rent Control Appellate Authority cum Sub Judge, Devakottai. The appellate authority has also concurred with the findings of the Rent Controller and upheld the order of eviction. Aggrieved by the concurrent findings of the Courts below, the present revision petition has been filed by the tenant.

2.Though this civil revision petition was filed in the year 2013, it appears that no stay has been granted by this Court. It is stated by the learned Counsel for the respondent / landlord that the order of eviction has been executed and delivery has been taken from



the revision petitioner. Having regard to Section 25 of the Tamilnadu Buildings (Lease and Rent Control) Act and the fact that the concurrent findings of the Courts below are supported by materials, this Court is not inclined to interfere with the findings of the Courts below.

3.As a result, this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

1. The Subordinate Judge,
The Rent Control Appellate Authority,
Devakottai.
2. The District Munsif,
Rent Control Tribunal-cum-Rent Controller,
Devakottai.

COPY TO:

The Section Officer, (2 Copies)
VR Section,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO Mr.R.Sundar Srinivasan, Advocate, SR NO.60497

C.R.P. (PD) (MD) No.164 of 2013
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cmr

MS/KKR/SAR-3/27.04.2018/2P.6C