



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.04.2018

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

C.R.P. (NPD) (MD) No.787 of 2013

and

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

1.P.Vellaiammal @ Vennila

2.S.Rajammal

:Revision Petitioners / Appellants
/ Respondents / Tenants

vs.

Nellaiappan @ Nambi

:Respondent / Respondent
/ Petitioner / Landlords

PRAYER: Civil Revision Petition filed under Section 25 of Tamilnadu Buildings (Lease and Rent Control) Act, 1960, against the fair Rent executable order in RCA No.5 of 2012 on the file of the Principal Subordinate Judge, Tirunelveli, dated 10.12.2012, confirming the decree and judgment passed in RCOP No.62 of 2008 on the file of the I Additional District Munsif Court, Tirunelveli, dated 04.02.2011.

For Petitioners : Mr.M.Sankar

For Respondent : Mr.H.Arumugam

ORDER

Tenants are the revision petitioners in this civil revision petition. The respondent in this revision petition filed R.C.O.P.No.62 of 2008, for evicting the revision petitioners on the ground of wilful default, act of waste and keeping the building under the lock mode for more than six months.

2.It appears that the Rent Controller has ordered eviction on the ground of wilful default and using the let out premises for other purposes. It is stated by the landlord that the tenants though obtained the building on lease, for residential purpose, have converted the same for doing business. The tenants have preferred an appeal in R.C.A.No.5 of 2012, before the Rent Control Appellate Authority-cum-I Additional District Munsif Court, Tirunelveli. The appellate Court has confirmed the findings of the Rent Controller and upheld the order of eviction. Aggrieved by the



findings of the appellate Court, the revision petitioners have preferred the above civil revision petition.

3.It is admitted before this Court that the order of eviction was executed and the landlord / respondent has taken possession of demised premises. Having regard to the concurrent findings on the issues, this Court does not see any merit in this revision petition. The learned Counsel for the petitioners though has raised some grounds, in the light of the findings, which all are based on materials and evidence, this Court is not inclined to entertain this civil revision petition by exercising its power under Section 25 of Tamilnadu Buildings (Lease and Rent Control) Act, 1960.

4.As a result, this civil revision petition is dismissed. However, there is no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/
Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

- 1.The Principal Subordinate Judge, Tirunelveli.
- 2.I Additional District Munsif Court, Tirunelveli.

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The Record Keeper,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai.(2 COPIES)

+1cc to Mr.H.ARUMUGAM, Advocate, SR.No. 61245

C.R.P. (NPD) (MD) No.787 of 2013
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CMR
KK/SKN RSK/SAR-4/12.06.2018/2P-6C