

THE HON'BLE SRI JUSTICE S.V.BHATT

C.R.P.No.1617 of 2011

ORDER:

Heard Mr.K.Ashok Reddy, learned counsel for revision petitioner.

No representation for respondents.

The revision is directed against the order in I.A.No.1212 of 2008 in RCC.No.3 of 2006 as confirmed in RCA.No.4 of 2009.

Mr.K.Ashok Reddy though raised a few objections on legality or otherwise of the order under revision, this Court *prima facie*, is of the view that the Court below have considered the issue in the right perspective and recorded findings warranted in the fact situation of the case.

Before concluding the order under Revision, this Court finds it useful to excerpt the following findings:

“The main RCC is one for order permits the petitioner to deposit monthly rent for the petition schedule premises and filed in the year 2006 and so far no amount of rent for the schedule premises is being deposit by petitioner. It is not case of petitioner that there is an agreement between petitioner and owner of schedule premises to adjust the property tax amount for the schedule premises towards rent in case petitioner pays property tax to Municipality. In the absence of any such term of lease petitioner is not entitled for an order from court u/sec.151 CPC to adjust part of property tax premises. In fact this relief is not sought for in

main RCC. On any one of the grounds mentioned supra petitioner is not entitled for an order to adjust property tax amount paid by him to municipality towards monthly rents payable to the petitioner schedule premises. Accordingly I answer this point against the petitioner.

Point No:2 In view of findings on point no.1 above petitioner is not entitled for an order to adjust the property tax amount paid by him to Municipality towards monthly rent for schedule premises. On perusal of findings of Rent controller cum Principal Junior Civil Judge's Court, Narasaraopet made in the order under appeal this court finds that there are not illegalities irregularities and improbabilities to interfere. Accordingly answer this point against petitioner.

Point no.3 In the result, this Rent Control Appeal fails. According Rent Control Appeal is dismissed without costs by order confirm the order and decretal order passed in I.a.1212/08 RCC 3/06 dated 31-7-09 on the file of Rent Controller cum Principal Junior Civil Judge, Narsaraopet."

Having regard to the view taken by the learned Senior Civil Judge, I am satisfied no ground is made out to interfere with the order under Revision.

Hence, the Civil Revision Petition fails and accordingly dismissed. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Dt: 06.09.2018
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