

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.08.2019

C O R A M

THE HONOURABLE MR.JUSTICE M. GOVINDARAJ

CRP NOS.2578 AND 2580 OF 2019

AND

CMP NO.16968 OF 2019

M/s.Tasty Tongue

Rep. by its Partner K.Vijayakumar

Old No.40, New No.24, NGO Colony,

Vadapalani, Chennai - 600 026. ... Petitioner/Appellant
in both CRPs'

Vs.

R.Mahalakshmi

... Respondent/Respondent
in both CRPs'

PRAYER IN CRP NO.2578/2019: Civil Revision Petition filed under section 25 of the Tamil Nadu Buildings (Lease of Rent Control Act) against the fair and decreetal order dated 08.11.2018 made in M.P.No.446 of 2018 in RCA No.574 of 2017 passed by the learned IX Judge, Small Causes Court, Chennai.

PRAYER IN CRP NO.2580/2019: Civil Revision Petition filed under Section 25 of the Tamil Nadu Buildings (Lease of Rent Control Act) against the fair and decreetal order dated 08.11.2018 made in RCA No.574 of 2017 passed by the learned IX Judge, Small Causes Court, Chennai, confirming the fair and decreetal order dated 21.07.2017 in M.P.No.110 of 2017 in RCOP No.1290 of 2016 passed by the learned XIII Judge, Small Causes Court, Chennai.

For Petitioner : Mr.J.E.Selvin Albert Holmes
(in both CRPs')

For Respondent : Mr.TKS Gandhi
(in both CRPs')

COMMON ORDER

The petitioner is the tenant. In the petition filed under Section 11(4) of the Tamil Nadu Buildings (Lease and Rent Control) Act, the Rent Controller directed the petitioner / tenant to deposit a sum of Rs.2,73,000/- being arrears of rent.

The petitioner/tenant has not complied with the said order. However, they filed an appeal and wanted to mark additional documents. Even there, they have not let in any oral and documentary evidence for receiving and marking the additional documents. The Rent Control Appellate Authority dismissed the appeal as there is no oral and documentary evidence to substantiate the contention of the petitioner. Aggrieved over the same, the petitioner is before this Court.

2. At the time of admission, learned counsel for the respondent would submit that the respondent / landlord had taken over possession of the petition premises and in fact, it is the contention of the learned counsel for the petitioner also that he has vacated and surrendered the portion to the respondent.

3. In such circumstances, nothing survives for further adjudication and accordingly, both the Civil Revision Petitions are dismissed. The parties have to work out their remedies in respect of the claim of money, before the appropriate forum. No costs. Consequently, connected civil miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

TK

To

1.The IX Judge
Small Causes Court, Chennai.

2.The XIII Judge
Small Causes Court, Chennai.

+1cc to Mr.D.Kingslin, Advocate SR.70584

CRP NOS.2578 AND 2580 OF 2019

NMI (CO)
CB(11/11/2019)

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