

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2019

CORAM :

THE HON'BLE Ms. JUSTICE P.T.ASHA

C.R.P. (PD) No.271 of 2016

and

C.M.P. Nos.1280 of 2016,
1504 & 1511 of 2019

J.V.K.Ajay Pratheeb

... Revision Petitioner

Vs.

R.Sankaran

... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the order dated 23.02.2015 passed in M.P.No.232 of 2012 in R.C.O.P.No.765 of 2010 on the file of the XIV Small Causes Court, Chennai and consequently dismiss M.P.No.232 of 2012.

For Petitioner : Mr.Mukundan

For Respondent : Mr.P.M.Bakthavatsalam

ORDER

The above Civil Revision Petition has been filed, challenging the order, dated 23.02.2015, made in M.P.No.232 of 2012 in R.C.O.P.No.765 of 2010, where, the Rent Controller (XIV Judge, Court of Small Causes), Chennai, has passed an order that the landlord/respondent herein has complied with the

orders dated 11.10.2012 and the order reads that the acknowledgment has been produced before the Court. Challenging this order, the tenant is before this Court.

2.The tenant challenges the order on the ground that, though, there was an order on 11.10.2012, to pay a sum of Rs.1000/- to the tenant, for restoring the Rent Control Petition back to file, the landlord has not complied with the order and that at three points of time, three different versions have been adopted, stating that the order has been complied with.

3.Be that as it may, considering the fact that the order is challenged only on the ground that the tenant is disputing the receipt of Rs.1,000/- and the order states that the acknowledgment has been produced by the landlord, the matter is remitted back to the XIV Court of Small Causes, Chennai, to hold an enquiry into whether, there has been compliance of the order dated 11.10.2012.

4.It is made clear that, any document, if filed earlier, shall also be made available to the learned counsel for the revision petitioner/tenant. The learned Rent Controller shall dispose of the application within a period of two weeks from the date of receipt of a copy of this order.

5.This Civil Revision Petition is allowed on the above lines and the matter is remitted back to the XIV Court of Small Causes, Chennai. No costs. Consequently, connected Miscellaneous Petitions are closed.

01.03.2019

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Index : Yes / No

Internet : Yes / No

Speaking order / Nonspeaking order

To

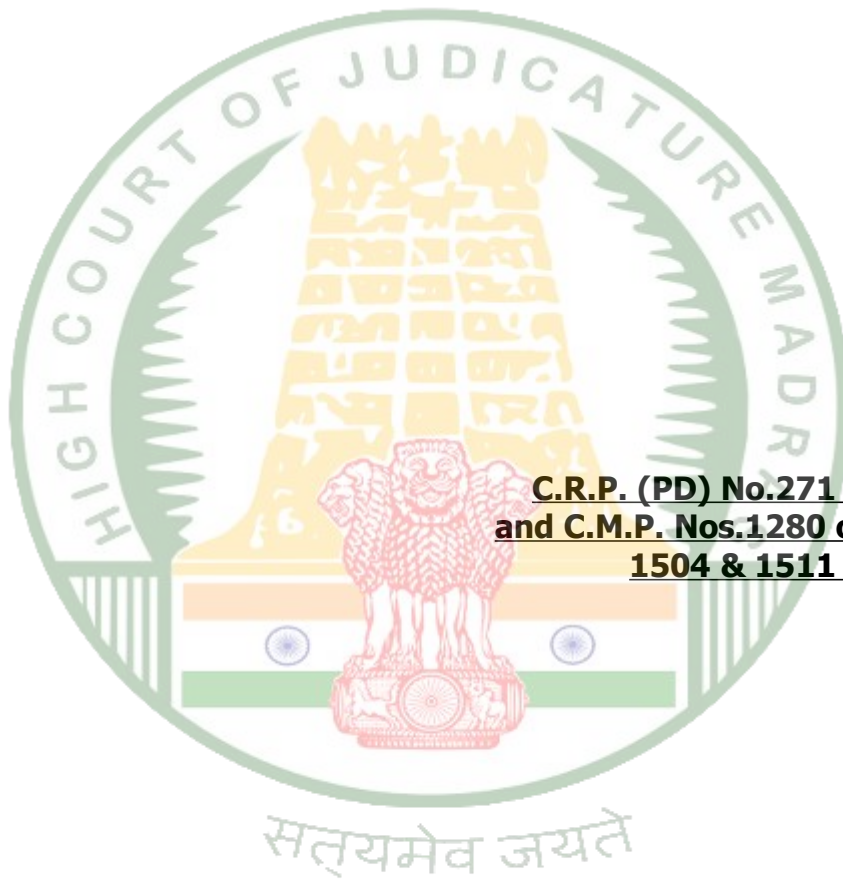
The XIV Judge,
Court of Small Causes,
Chennai.



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P.T.ASHA, J.

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