

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2019

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

CRP (NPD)Nos.1372 to 1375 of 2014

and

M.P. Nos.1, 1, 1 & 1 of 2014

1.M/s.Mehra Brothers
Rep. By Robin Mehra

2.Geetha Mehra
3.Robin Mehra
4.Sangeetha Prabhu

... Petitioners in all C.R.Ps.

Vs

1.R.Palaniappan
2.K.N.Unnamalai Ammal
3.K.N.Nachiappan
4.K.N.Renganathan

... Respondents in all C.R.Ps.

Prayer in C.R.P.No.1372 of 2014: Civil Revision Petition filed under Section 25 of the Tamil Nadu Buildings (Lease & Rent Control) Act 1960 (As amended by Act 23 of 1973 and Act 1 of 1980) against the order and decretal order made in R.C.A.No.146 of 2008 dated 22.10.2013 on the file of the Appellate Authority, (VIII Judge, Small Causes Court, Chennai) confirming the order and decretal order made in R.C.O.P.No.2416 of 2005 dated 31.01.2008 on the file of the Rent Controller (X Judge, Court of Small Causes, Chennai).

Prayer in C.R.P.No.1373 of 2014: Civil Revision Petition filed under Section 25 of the Tamil Nadu Buildings (Lease & Rent Control) Act 1960 (As amended by Act 23 of 1973 and Act 1 of 1980) against the order and decretal order made in R.C.A.No.147 of 2008 dated 22.10.2013 on the file of the Appellate Authority, (VIII Judge, Small Causes Court, Chennai) confirming the order and decretal order made in R.C.O.P.No.2417 of 2005 dated 31.01.2008 on the file of the Rent Controller (X Judge, Court of Small Causes, Chennai).

Prayer in C.R.P.No.1374 of 2014: Civil Revision Petition filed under Section 25 of the Tamil Nadu Buildings (Lease & Rent Control) Act 1960 (As amended by Act 23 of 1973 and Act 1 of 1980) against the order and decretal order made in R.C.A.No.272 of 2005 dated 22.10.2013 on the file of the Appellate Authority, (VIII Judge, Small Causes Court, Chennai) confirming the order and decretal order made in R.C.O.P.No.439 of 2004 dated 20.01.2005 on the file of the Rent Controller (XIV Judge, Court of Small Causes, Chennai).

Prayer in C.R.P.No.1375 of 2014: Civil Revision Petition filed under Section 25 of the Tamil Nadu Buildings (Lease & Rent Control) Act 1960 (As amended by Act 23 of 1973 and Act 1 of 1980) against the order and decretal order made in R.C.A.No.273 of 2005 dated 22.10.2013 on the file of the Appellate Authority, (VIII Judge, Small Causes Court, Chennai) confirming the order and decretal order made in R.C.O.P.No.442 of 2004 dated 20.01.2005 on the file of the Rent Controller (XIV Judge, Court of Small Causes, Chennai).

For Petitioner : Mr.A. Muthukumar

For respondents : Mr.R. Swaminathan for R1

ORDER

The instant Civil Revision Petitions have been filed under Section 25 of the Tamil Nadu Buildings (Lease & Rent Control) Act 1960 challenging the order dated 22.10.2013 passed in R.C.A.Nos.146, 147 of 2008 and R.C.A.Nos.272 & 273 of 2005 by the Appellate Authority.

2. The petitioners are the tenants and the respondents are the landlords. They have entered into Memo of Compromise dated 14.06.2019 which has been filed before this Court today. The parties and the respective counsels have also signed in the Memo of Compromise which is extracted hereunder:

“

Memo of Compromise

1.The above Civil Revision Petitions arise against the Common Order dated 22.10.2013 passed by the VIII Small Causes Court at Chennai in R.C.A.Nos.272 & 273 of 2005 reversing the fair and decreetal orders dated 20.01.2005 passed by the Rent Controller (XIV Judge, Court of Small Causes, Chennai) in R.C.O.P.Nos.439 & 442 of 2004 respectively and in R.C.A.Nos.146 & 147 of 2008, confirming the fair and decreetal orders dated 31.01.2008 passed by the Rent Controller (X Judge, Court of Small Causes, Chennai) in R.C.O.P.Nos.2416 & 2417 of 2005 respectively.

2. The Rent Controller by order dated 20.01.2005, dismissed the Eviction Petitions filed by the respondents in R.C.O.P. Nos.439 & 442 of 2004. As against the same, the respondents preferred Appeals in R.C.A.Nos.272 & 273 of 2005, before the VIII Small Causes Court at Chennai.

3. The Rent Controller by orders dated 31.01.2008, allowed the Eviction Petitions in R.C.O.P.Nos.2416 & 2417 of 2005. As against the same, the petitioners preferred Appeals in R.C.A.Nos.146 & 147 of 2008, before the VIII Small Causes Court at Chennai.

4. The Appellate Authority, by a common order, allowed both the Appeals preferred by the respondents and dismissed the Appeals preferred by the petitioners.

5. Hence, the petitioners preferred the above Civil Revision Petitions.

6. Now the parties have amicably resolved the dispute amongst themselves, on the following terms and conditions:

a) The petitioners agree to vacate and handover vacant possession of the demised premises, subject matter of the above Civil Revision Petitions, on or before 11.06.2020, without driving the respondents to any further litigation.

b) The petitioners agree to pay the monthly rents to the respondents by way of cash/demand draft on or before the 7th of every succeeding month.

c) In case the petitioners either fail to pay the rents even for one month and/or fail to vacate and hand over vacant possession to the respondents on or before 11.06.2020, the above

Civil Revision Petitions shall stand dismissed and the respondents are entitled to execute the orders of eviction, subject matter of the above Civil Revision Petitions.

d) There shall be a decree in terms of this Memo of Compromise.

7. Therefore it is prayed that, this Hon'ble Court may be pleased to dismiss the above Civil Revision Petitions in C.R.P.Nos.1372 to 1375 of 2014, in terms of this Memo of Compromise and thus render justice."

3. The Memo of Compromise dated 14.06.2019 shall form part of this Order. Accordingly, the instant Civil Revision Petitions are disposed of in terms of Memo of Compromise. No costs. Consequently, connected miscellaneous petitions are closed.

21.06.2019

Index: Yes/ No
Speaking Order/Non-speaking Order

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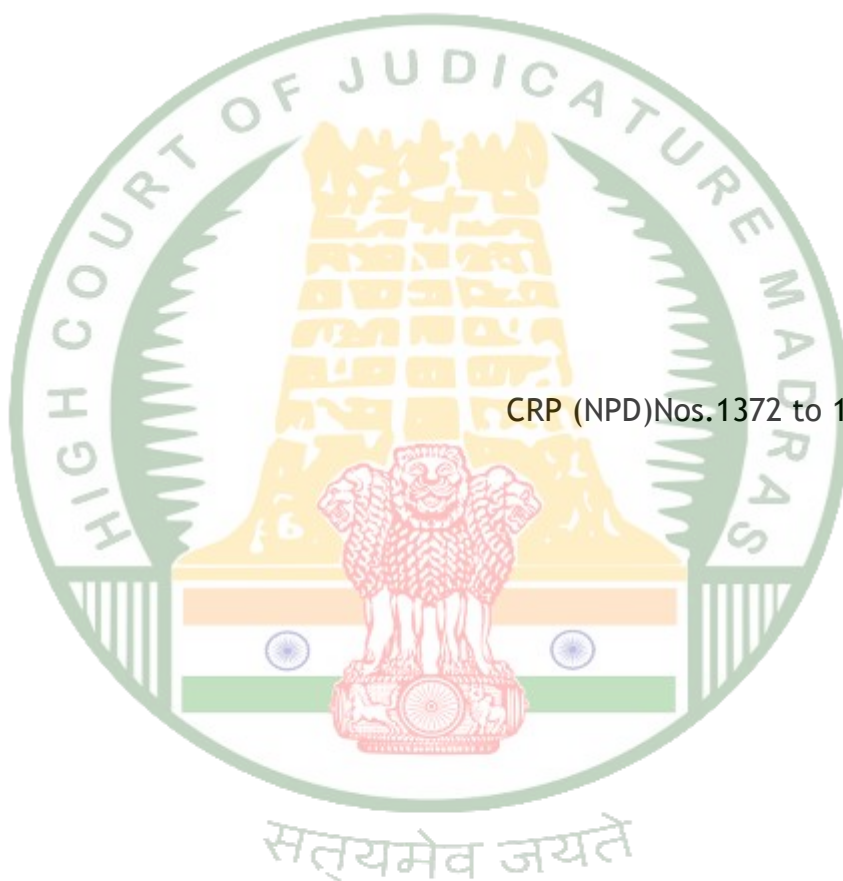
To

The VIII Judge, Small Causes Court, Chennai.

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ABDUL QUDDHOSE, J.

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