

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.11.2019

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THE HONOURABLE **MR.JUSTICE C.SARAVANAN**

Rev.Appln.No.212 of 2019
in
C.R.P.(PD).No.1892 of 2015

S.Rajasekara Rao ... Petitioner

vs

J.Mohan ... Respondent

Prayer: Review Application filed under Section 114 read with Order XLVII Rules 1 & 2 of C.P.C., to review the order dated 04.06.2019 passed in C.R.P.No.1892 of 2015 on the file of this Court.

For Petitioner : M/s.Vaishnavi Subrahmanyam

ORDER

In the present Review Application the petitioner has sought to review the order dated 04.06.2019 passed by this Court in C.R.P(PD).No.1892 of 2015. By the said order, this Court has

dismissed the Civil Revision Petition filed against the order of the Rent Control Appellate Court allowing the R.C.A as prayed by the respondent/landlord.

2.The petitioner has also filed a memo in the open court wherein in paragraph Nos.6 and 7 it has been prayed as follows:-

6.It is submitted that this Hon'ble Court may be pleased to direct the Respondent to refund the Petitioner's security deposit as well as the advance paid in 2000. This prayer has been made given the contentious nature of the present proceedings as well as in light of the fact that the Petitioner herein requires these funds to move his business to a new premises.

7.Therefore, it is prayed that this Hon'ble Court's will take into consideration the aforementioned fact while passing orders in the present petition.

3.In the present Review Application, the petition has submitted that the petitioner had paid a sum of Rs.42,410/- as security deposit and Rs.5,00,000/- as *pagdi* at the instance of execution of first lease deed paid directly to the previous tenant as

per the directions of the respondent as advance even though the same was in contravention to the provisions of the Tamil Nadu Buildings (Lease and Rent Control) Act, 1960.

4.That apart, the learned counsel for the petitioner submits that the petitioner is in the jewelry business and therefore he has not been able to locate an alternate place for shifting the jewelry shop. Therefore, the time may be extended.

5.The above submission of the learned counsel for the petitioner relating to the hardship and the alleged *pagdi* of Rs.5,00,000/- and the advance etc. are not relevant criteria for reviewing the order passed by this Court. I do not find any merits in the present Review Application filed by the petitioner. However, two weeks time is given to the petitioner to vacate the premises. No further application will be entertained.

6.The present Review Application is disposed. No cost.

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Index:Yes/No
Internet:Yes/No
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