

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2019

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

C.R.P. (NPD) 3920 of 2019

and

C.M.P. 25902 of 2019

B.Eswari,
W/o. Baskaran
Prop. Balaji Hardware &
Electrical,
doing business at
No.136, Chunnambukkara Street,
Vellore. ... Petitioner

Versus

N.Rajammal ... Respondent

PRAYER : Civil Revision Petition is filed under Section 25 of Tamil Nadu Building (Lease and Rent Control) Act, praying to set aside the Order and Decreetal order dated 25.06.2019 made in I.A.No.121 of 2017 in R.C.A. No.22 of 2017 on the file of learned Principal Subordinate Judge, at Vellore.

For Petitioners : Ms.N.Mala

For Respondent : Mr.T.M.Hariharan

ORDER

This Civil Revision Petition has been filed against the order dismissing the application filed to stay all further proceedings in I.A.No.121 of 2017 in R.C.A. No.22 of 2017 pending before the Rent Control Appellate Authority.

2. Earlier, the respondent landlord filed an eviction petition against the petitioner, and that was allowed. Against which, the petitioner has filed an appeal in R.C.A. No.22 of 2017. Pending appeal, the petitioner has filed an application to Stay of all further proceedings, and that application has been dismissed by the learned Rent Control Appellate Authority. Challenging the same, the present Civil Revision Petition has been filed.

3. I have heard and considered the submissions made by the learned counsel appearing for the petitioner as well as the learned counsel appearing for respondent and perused the records carefully.

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4. On perusal of materials available on record, it is seen that, the Rent Control Appeal is pending from the year 2017. When the Rent Control Appeal is posted for hearing, it seems that the petitioner himself took adjournments on several occasions. Hence, the appeal could not be disposed of. Considering the above circumstances, the Appellate Authority has rightly dismissed the petitioner's application, and there is no irregularity or illegality in the order passed by the learned Rent Control Appellate Authority, and I find no merit in the Civil Revision Petition. Hence, the same is liable to be dismissed.

5. Considering the fact that the appeal is pending from the year 2017, the learned Rent Control Appellate Authority is directed to dispose the appeal within a period of one month from the date of receipt of the copy of this order. Till the Rent Control Appeal is disposed of, the respondent is directed not to proceed with the Execution Petition. However, the petitioner is directed to cooperate with the learned Appellate Authority for disposal of appeal.

6. In the result, the Civil Revision Petition stands dismissed. No costs. Consequently, the connected Civil Miscellaneous Petition is closed.

04.12.2019

Index:Yes/No
Internet:Yes/no
Speaking Order/Non Speaking Order
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To

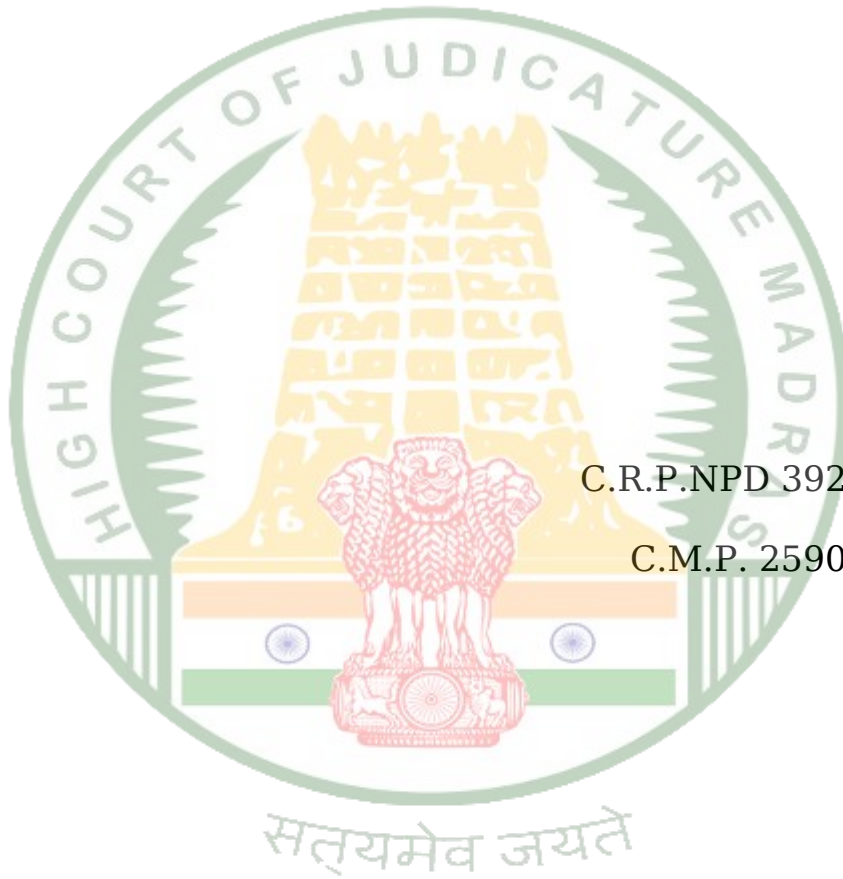
Rent Controller Appellate Tribunal,
(Principal Subordinate Judge),
Vellore,
Vellore District.



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V.BHARATHIDASAN,J.

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