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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.06.2019

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P(PD) (MD)Nos.2450 to 2455 of 2018
and
C.M.P(MD)Nos.10901 to 10906 of 2018

Chellaiah ... Petitioner(s) in CRP(MD). 2450/ 2018

Selvam, S/o.Veluchamy No.101 B, Opposite to Hdfc Bank, Pathima Pharmacy College North Side, Kadayanallur Main Road, Kadayanallur Municipality, Kadayanallur Tk.

... Petitioner(s) in CRP(MD). 2451/ 2018

Ayyanar, S/o.Kanthaiah Thevar, Peety Kadai, Opposite to Hdfc Bank, Chennai Hair Cutting South Side, Kadayanallur Main Road, Kadayanallur Municipality, Kadayanallur Tk.

... Petitioner(s) in CRP(MD). 2452/ 2018

Gurusamy, S/o.Kandasamy, No.101 C, Upstairs, Opposite to Hdfc Bank, Kadayanallur Main Road, Kadayanallur Municipality, Kadayanallur Tk.

... Petitioner(s) in CRP(MD). 2453/ 2018

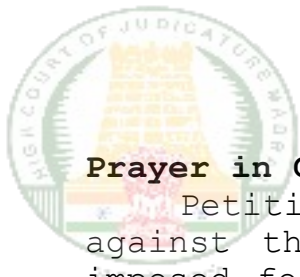
A.P.I.Mohaideen, S/o.A.P.M.Mohammed Ismail, No.101 A, Krishnapuram Main Road, Kadayanallur Municipality, Kadayanallur Tk.

... Petitioner(s) in CRP(MD). 2454/ 2018

Selvam, S/o.Veluchamy, No.101 B, Opposite to Hdfc Bank, Pathima Pharmacy College North Side, Kadayanallur Main Road, Kadayanallur Municipality, Kadayanallur Tk.

... Petitioner(s) in CRP(MD). 2455/ 2018

Vs.

**Prayer in CRP(MD) . 2450/ 2018 :**

Petition filed under Article 227 of the Constitution of India, against the fair and decreetal order in so far as the condition imposed for depositing the rent amount alone passed in I.A.No.2 of 2018 in R.C.A.No.6 of 2017, dated 06.06.2018 on the file of the Principal Sub Court, Tenkasi.

Prayer in CRP(MD) . 2451/ 2018 :

Petition filed under Article 227 of the Constitution of India to set aside the fair and decreetal order, in so far as the condition imposed to deposit the rent amount alone passed in I.A.No.3 of 2018 in R.C.A.No.7 of 2017, dated 06.06.2018 on the file of the Principal Sub-Court, Tenkasi, by allowing this revision petition.

Prayer in CRP(MD) . 2452/ 2018 :

Petition filed under Article 227 of the Constitution of India to set aside the fair and decreetal order, in so far as the condition imposed to deposit the rent amount alone passed in I.A.No.4 of 2018 in R.C.A.No.8 of 2017, dated 06.06.2018 on the file of the Principal Sub-Court, Tenkasi, by allowing this revision petition.

Prayer in CRP(MD) . 2453/ 2018 :

Petition filed under Article 227 of the Constitution of India to set aside the fair and decreetal order in so far as the condition imposed for depositing the rent amount alone passed in I.A.No.5 of 2018 in R.C.A.No.9 of 2017, dated 06.06.2018 on the file of the Principal Sub-Court, Tenkasi by allowing this revision petition.

Prayer in CRP(MD) . 2454/ 2018 :

Petition filed under Article 227 of the Constitution of India to set aside the fair and decreetal order, in so far as the condition imposed to deposit the rent amount alone passed in I.A.No.6 of 2018 in R.C.A.No.10 of 2017, dated 06.06.2018 on the file of the Principal Sub-Court, Tenkasi, by allowing this revision petition.

Prayer in CRP(MD) . 2455/ 2018 :

Petition filed under Article 227 of the Constitution of India to set aside the fair and decreetal order, in so far as the condition imposed to deposit the rent amount alone passed in I.A.No.8 of 2018 in R.C.A.No.12 of 2017, dated 06.06.2018 on the file of the Principal Sub-Court, Tenkasi, by allowing this revision petition.

For Petitioner(in all CRPs): Mr.H.Arumugam

<https://hcservices.ecourts.gov.in/hcservices/> For Respondent(in all CRPs): Mr.D.Srinivasaragavan

**COMMON ORDER**

The present Civil Revision Petitions have been filed against the conditional order of stay granted by the Rent Control Appellate Authority in respect of the condition alone.

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2. When the matter is taken up for hearing, learned counsel for the respondents/landlords in all the cases would submit that in view of the pendency of the revision petitions, the petitioners are not paying the rent to the respondents and therefore, the respondents in all the cases do not have any objection to allow the revision petitions, but would pray for early disposal of the Rent Control Appeals.

3. Hence, without going into the merits of the cases, recording the above submission made by the learned counsel for the respondents, the orders impugned in all the cases are set aside in respect of the condition alone and the Civil Revision Petitions are allowed. No costs. The learned Rent Control Appellate Authority shall dispose of the respective Rent Control Appeals within a period of six months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

Sub Assistant Registrar(CS)

To

The Principal Sub Judge,
Tenkasi.

+1 CC to Mr.H.ARUMUGAM, Advocate SR-67552.

+1 CC to Mr.D.SRINIVASARAGAVAN, Advocate SR-67484.

C.R.P(PD) (MD) Nos.2450 to 2455 of 2018
07.06.2019

CS: (28/06/2019) 3P 4C