



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2019

CORAM

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

C.R.P (MD)No.1385 of 2019

and

C.M.P (MD)No.7382 of 2019

Krishnan

.. Petitioner /
Tenant

Vs.

G.Rathinavel (died)

1.R.Rajeswari

2.R.Muthukumar

3.R.Gopalaganesan

.. Respondents /
Landlord

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India against the fair and decreetal order dated 15.07.2019 made in I.A.No.3 of 2019 in R.C.A.No.3 of 2019 by the Sub Court, Tuticorin.

For petitioner : Mr.R.Vijayakumar

For Respondents 1 & 2 : Mr.J.Ashok

ORDER

The respondents / landlord filed R.C.O.P.No.16 of 2014 on the ground of wilful default. The Trial Court allowed the same. Against which, the petitioner / tenant filed R.C.A.No.3 of 2019 before the Rent Control Appellate Authority. Pending appeal, the respondents / landlord, have filed I.A.No.3 of 2019, seeking to stall the proceedings in the appeal and also direct the petitioner / tenant to hand over possession of the demised building to the respondents / landlord. The first Appellate Court allowed the petition partly, directing the petitioner / tenant to deposit the arrears of rent on or before 19.08.2019, in default, the appeal will be dismissed on 20.08.2019. Against which, the present revision has been filed.

2.Today when the matter came up for hearing, the learned counsel for the petitioner / tenant would submit that the petitioner / tenant confined his prayer and sought further four weeks time to



deposit the arrears of rent, since he is not able to mobilise funds within the time stipulated by the learned Judge, for which, the learned counsel for the respondents 1 and 2 / landlord did not have any objection.

3. In view of the same, the petitioner / tenant is directed to deposit the arrears of rent before the Sub Court, Tuticorin on or before 19.09.2019 and if the petitioner / tenant does not deposit the same, the learned Sub Judge, Tuticorin is directed to proceed with the appeal in accordance with law.

4. The Civil Revision Petition is disposed of on the above terms. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

Sub Assistant Registrar (CS)

smn

To

1. The Sub Judge,
Tuticorin.

2. The Record Keeper,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai. (2 COPIES)

+1 CC to M/s.R.PON KARTHIKEYAN, Advocate (SR-81947[F] dated 16/08/2019)

+1 CC to M/s.R.VIJAYAKUMAR, Advocate (SR-82046[F] dated 16/08/2019)

+1 CC to M/s.J.ASHOK, Advocate (SR-82137[F] dated 19/08/2019)

C.R.P (MD) No.1385 of 2019
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KK/SAR/29.08.2019/2P-7C/