



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Dated : 27.09.2019
CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

C.R.P. (PD) (MD) No.1569 of 2019
and
C.M.P. (MD) No.8296 of 2019

R.Perumal ... Petitioner/Respondent/Tenant

Vs.

A.Abdul Majeed ... Respondent/Petitioner/Landlord

Prayer : This Civil revision petition is filed under Section 115 of Civil Procedure of Code, to set aside the order dated 19.08.2019 passed by the learned Principal District Munsif, Madurai Town (Rent Controller) in E.P.No.136 of 2014 as illegal and arbitrary throughout.

For Petitioner : Ms.M.S.Praveena
For Respondent : Mr.Pon Karthikeyan

ORDER

This Civil Revision Petition has been filed challenging the order passed in E.P.No.136 of 2014 by the learned Principal District Munsif, Madurai Town (Rent Controller) dated 19.08.2019.

2.The respondent herein has filed a petition in R.C.O.P.No.302 of 2010 before the learned District Munsif (Rent Controller), Madurai. The Rent Controller, Madurai ordered the petition in favour of the respondent herein. Aggrieved by the said order, the petitioner herein has filed an appeal in R.C.A.No.14 of 2015 before the learned Principal Subordinate Judge (Rent Control Appellate Tribunal), Madurai and the Rent Control Appellate Tribunal confirmed the order passed by the Rent Controller. Thereafter, the respondent herein has filed a petition in E.P.No.136 of 2014 before the learned Principal District Munsif, Madurai Town (Rent Controller). Pending disposal of the petition, the petitioner herein has filed the present Civil Revision Petition.

3.When the matter came for hearing, the learned counsel appearing for the petitioner filed an affidavit before this Court stating that his client is running a tailor shop in the premises and since Deepavali festival is nearing, she has expressed her inconvenient to vacate the premises on or before 30.09.2019. She



prays that sufficient time may be granted to vacate the premises so that her business is not affected. He would submit that the petitioner would vacate the premises and hand over the key to the respondent on or before 31.12.2019 and she is ready to abide any condition imposed by this Court.

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4.The learned counsel for the respondent submitted that he is agreeable for the same. Further the learned counsel appearing for the respondent would contend that the revision petitioner has not paid the rent so far.

5.Considering the submission made by the learned counsel appearing for the petitioner as well the respondent and taking into consideration the averment in affidavit filed by the petitioner dated 27.09.2019, this Court pass the following directions :

(i)The petitioner is directed to vacate the premises on or before 15.12.2019.

(ii)This Court granted liberty to the respondent to initiate appropriate proceedings to recover the arrears of rent in accordance with law.

(iii)The affidavit filed by the revision petitioner dated 27.09.2019 shall form a part of the order.

6.With the above directions, this Civil Revision Petition is disposed of. No Costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

Encl.:Xerox Copy of Affidavit filed dated 27/09/2019
To

The Principal District Munsif (Rent Controller),
Madurai.

Copy to:

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

+1 CC to Mr.R.PON KARTHIKEYAN, Advocate (SR-90076[F] dated
27/09/2019)

C.R.P. (PD) (MD)No.1569 of 2019
27.09.2019

mrn