

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2020

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

C.R.P.Nos.1902 and 1903 of 1997

Prithmlal Chand Mathani
Proprietor,
Ashok Brothers,
No.4/8, Evening Bazaar Road,
Park Town,
Madras-3.

... Petitioners in both C.R.Ps.

Vs

Ma Yau Chung
No.4/2, Evening Bazaar Road,
Park Town,
Madras-3.

... Respondents in both C.R.Ps.

Prayer in C.R.P.No.1902 of 1997: Civil Revision Petition filed under Section 25 of the Tamil Nadu Buildings (Lease & Rent Control Act), 1960 against the order of the Rent Control Appellate Authority (IX Judge, in charge of VIII Judge Court, Court of Small Causes, Madras) in R.C.A.No.317 of 1994 affirming the order dated 17.04.1997 IX Judge, Small Causes Court of the Rent Controller (XI Judge, Court of Small Causes, Madras) in R.C.O.P.No.3125 of 1991 dated 10.02.1994.

Prayer in C.R.P.No.1903 of 1997 : Civil Revision Petition filed under Section 25 of the Tamil Nadu Buildings Lease & Rent Control Act, 1960 against the order of the Rent Control Appellate Authority (Court of Small Causes, Madras) in R.C.A.No.313 of 1994 dated 17.04.1997 (IX Judge, Court of Small Causes, Madras) affirming the order of the Rent Controller (Court of Small Causes, Madras) in R.C.O.P.No.1416 of 1992 dated 10.02.1994 XI Judge of Small Causes, Madras.

For Petitioners :No Appearance

For Respondents :Mr.S.Parthasarathy

O R D E R

No representation for the petitioners. The learned counsel for the respondent submitted that the revision petitioner in both the revisions is one and the same and the revision petitions have been preferred as against the order of eviction

and fair rent fixed in respect of the demised premises, by the same tenant.

2. It is also represented that the respondent/landlord has secured possession by executing the order of eviction. It was suggested that the revision petitioner may not be interested to prosecuting this revision petitions, in view of the length of time and change in circumstances apart from lack of merits.

3. Considering the submission of the learned counsel for the respondent in this revision petitions, this Court is inclined to dismiss both the Civil Revision Petitions for non-prosecution. However, revision petitioner can file petition to set aside this order in case, the fact recorded by this Court on the basis of submission of the counsel appearing for the respondent is not correct.

4. Registry is directed to send an intimation regarding the dismissal of these cases to the revision petitioner and send a certified copy of the order to the revision petitioner.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

ssn

To

1. IX Judge, Small Causes Court,
Madras.

2. XI Judge, Small Causes Court,
Madras.

Copy to:

1. The Registrar,
Small Causes Court, Chennai.

2. Prithmlal Chand Mathani
Proprietor,
Ashok Brothers,
No.4/8, Evening Bazaar Road,
Park Town,
Madras-3.

+lcc to Mr.S.Parthasarathy, Advocate, S.R.No.37850

C.R.P.Nos.1902 and 1903 of 1997

um(CO)

rv(22/01/2021)