

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2020

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

C.R.P. NPD 332 of 2020

and

C.M.P. 1722 of 2020

M/s.M.R.Garden Services Private

Ltd.,

rep. by its Managing Director,

Mrs.R.Manju

... Petitioner

Versus

Badru Jehan

... Respondent

PRAYER : Civil Revision Petition is filed under Sec.25 of Tamil Nadu Buildings (Lease and Rent Control) Act, 1960, praying to set aside the order dated 15.11.2019 made in M.P. 214 of 2019 in R.C.A. 334 of 2018 on the file of VII Small Causes Court at Chennai.

For Petitioner : Mr.P.Chandrasekar

For Respondent : Mr.K.P.Ashok

ORDER

This Civil Revision Petition has been filed against the order passed in Rent Control Appeal in R.C.A. No.334 of 2018 directing the petitioner tenant to deposit a sum of Rs.29,66,000/- towards arrears of rent.

2. Mr.P.Chandrasekar, learned counsel appearing for petitioner would submit that, the R.C.O.P. was filed on the ground of willful default, and there is an admitted rent of Rs.80,000/- per month. Whereas, the landlord is demanding a sum of Rs.1 lakh, since it is a contractual amount. However, the petitioner has spent a sum of Rs.2 crores for renovation and development of building. But, without considering the same, the petitioner was directed to pay a sum of Rs.29,66,000/-. Challenging the same, the present Civil Revision Petition has been filed.

3. Mr.K.P.Ashok, learned counsel appearing for respondent would contend that, the application has been filed under Sec.11(4) of Tamil Nadu Buildings (Lease and Rent Control) Act, 1960. As the contentions raised by the petitioner has been negatived, he was directed to pay a sum of Rs.1,18,000/- towards

rent. Against which, appeal has been filed, and the same is pending. Instead of raising all his contentions before the appellate authority, the petitioner cannot all the above points before this Court.

4. Considering the facts and circumstances, without going into the merits of the case, the petitioner is directed to pay a sum of Rs.20 lakhs to the respondent on or before 20.03.2020, failing which, the interim order granted by the appellate authority will be restored. Further, the learned Rent Control Appellate Authority is directed to dispose the appeal within a period of six months from the date of receipt of the copy of this order. Accordingly, this Civil Revision Petition stands dismissed. No costs. Consequently, the connected Civil Miscellaneous Petition is closed.

सत्यमेव जयते

30.01.2020

Index : Yes/No

Internet: Yes/No

Speaking/Non Speaking order
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Note : Issue order copy on 06.03.2020

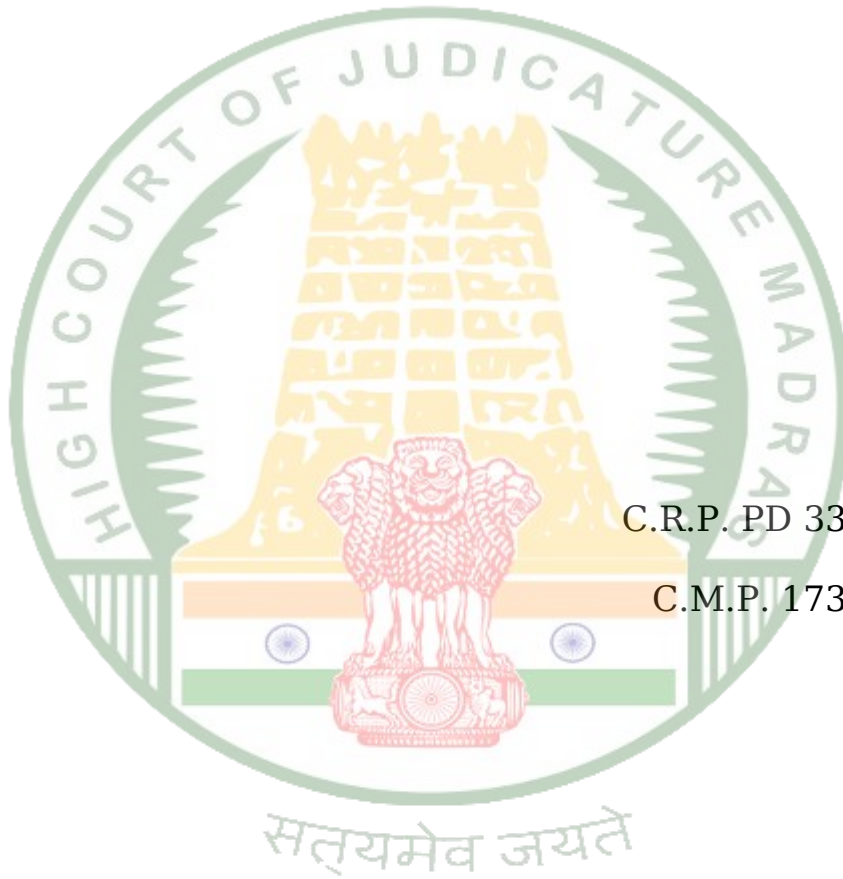
To

VII Judge

Court of Small Causes,
Chennai.

V.BHARATHIDASAN,J.

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C.R.P. PD 334 of 2020
and
C.M.P. 1730 of 2020

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