

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2020

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

**C.R.P.PD.No.646 of 2020
and
CMP.No.3335 of 2020**

R. Kavitha

... Petitioner

Vs.

M. D. Venkatesan

... Respondent

Prayer :- This Civil revision has been filed under Article 227 of the Constitution of India to allow the Civil Revision Petition and set aside the order of the learned XV Small Causes Court, Chennai District, dated 31.10.2019 made in M.P.No.172 of 2018 in RCOP No.233 of 2018.

For petitioner : Mr. A. Selvendran

ORDER

This Civil Revision Petition has been filed against the order allowing the petition filed under Section 11(3) of the Tamil Nadu Buildings (Lease and Rent Control) Act 1960 directing the petitioner herein to pay the monthly rent at the rate of Rs.90,000/- and also to pay a sum of Rs.29,12,900/- towards arrears of rent.

2. According to the petitioner, the contractual rent is Rs.50,000/-. However, the Rent Controller, based on some settlement arrived at between the parties, fixed the rent at Rs.90,000/- and directed the petitioner herein to pay the monthly rent at Rs.90,000/- and also directed to pay the arrears . Against the said order passed by the Rent Controller, the present revision has been filed.

3. Admittedly, against the order passed by the Rent Controller, an appeal remedy is available to the petitioner under Section 23 of the Tamil Nadu Buildings (Lease and Rent Control) Act and the petitioner cannot maintain the revision and hence, the revision is liable to be dismissed.

4. Accordingly, the Civil Revision Petition is dismissed. However, liberty is given to the petitioner to file an appeal within a period of two weeks from the date of receipt of a copy of the order. No costs. Consequently, connected miscellaneous petition is closed.

13.02.2020

mrpIndex : Yes/No
Internet : Yes/No
Speaking order/non speaking order

To
XV Small Causes Court, Chennai

V.BHARATHIDASAN, J.,

mrp



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