

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.R.P.No. 2435 of 2018

in

C.M.P.No. 14959 of 2018

Essajee Tayabbly Kapasi (died) by L.Rs
Banoo Essajee Kapasi (wife) died by L.Rs
1.Mohamed Ali E.Kapasi
2.Shaukath E.Kapasi
3.Mustafa (Iqbal) E.Kapasi ..Petitioners

Vs.

R.Aathappan ..Respondent

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, against the fair and decreetal order of the learned XII Judge, Small Causes Court, Chennai, dated 06.03.2018, made in M.P.No. 79 of 2018 in R.C.O.P.No. 571 of 2010, dismissing the said M.P.No. 79 of 2018 filed under Order VII Rule 11(a) of C.P.C. r/w Order 3 Rule 1 of C.P.C r/w Rule 11 (1) of the Rent Control Rules and declining to reject the above R.C.O.P.No. 571 of 2010.

For Petitioners : No Appearance

For Respondent : Mr.R.Kannan

सत्यमेव जयते
O R D E R

This civil revision petition has been filed cahllenging the rejection of the petition seeking to raise the issue regarding the authority of the Power Agent to file the petition as a preliminary issue.

2. None appears for the petitioner.

3. Mr.R.Kannan, learned counsel appearing for the respondent would submit that the main case namely, R.C.O.P.No. 571 of 2010 has been allowed, fixing fair rent for the building in question and both the tenant as well as the landlord have preferred appeals in R.C.A.Nos. 492 of 2018 and 719 of 2018.

The said appeals are said to be pending.

4. In view of the said submission, this civil revision petition is dismissed of having become infructuous. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

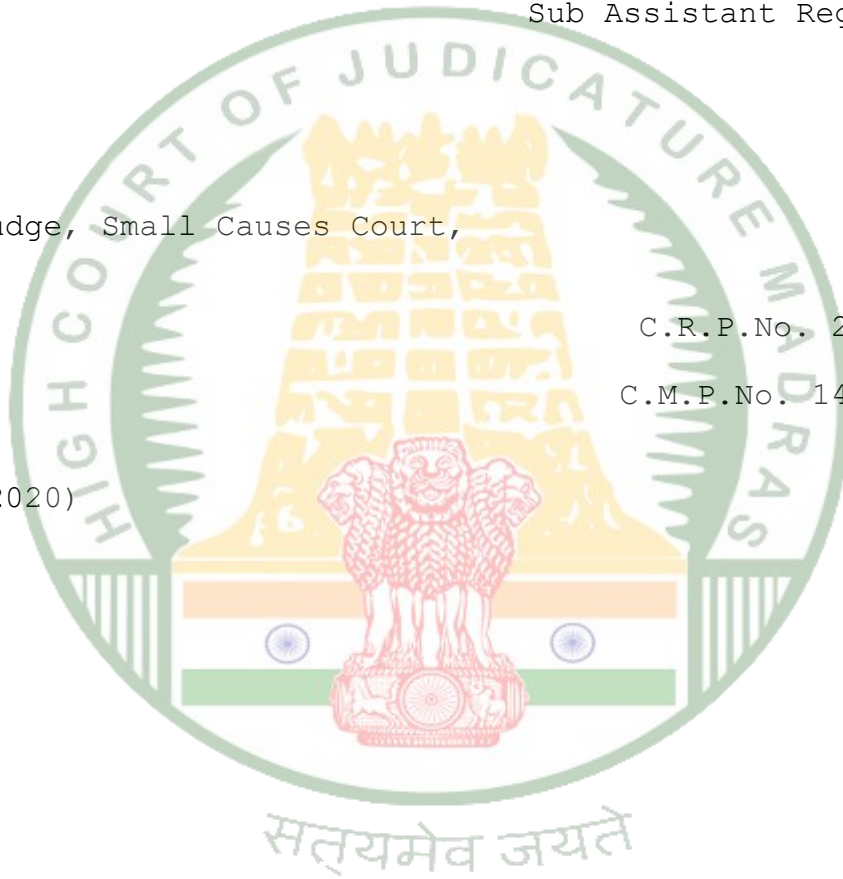
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To:-

The XII Judge, Small Causes Court,
Chennai.

C.R.P.No. 2435 of 2018
in
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RSV(CO)
GN(02/11/2020)



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