

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.R.P.(NPD).No.82 of 2018

in

C.M.P.No.366 of 2018

M.P.Ravindran

...Petitioner

Vs.

1.T.G.Saravanan

2.Chandrika Jeyachander

...Respondents

Prayer: Civil Revision Petition filed under Section 25 of the Tamil Nadu Buildings (Lease and Rent Control) Act, 1960, to call for the records and to set aside the order and decretal order dated 01.11.2017 passed by the Appellate Authority -cum-VII Judge of the Court of the Small Causes, Chennai, in RCA.SR.No.17109 of 2016 filed against the order dated 22.06.2016 of the Rent Controller-cum-XIII Judge of the Court of Small Causes at Chennai in M.P.No.595 of 2015 in R.C.O.P.No.1140 of 2015.

For Petitioner : Mr.N.F.J.Ponnudurai

(No appearance)

For Respondents : Mr.V.Sivakumar

ORDER

The tenant who is the petitioner herein filed a petition for rejection of R.C.O.P.No.1140 of 2015 on the ground that it is barred by *res judicata* and the said application was dismissed by the learned Rent Controller on 22.06.2016. As against the said order the tenant attempted to prefer an appeal in R.C.A.SR.No.17109 of 2016 and the said SR was rejected by the Appellate Authority on the ground that the same is not maintainable. It is against the order of the Appellate Authority rejecting the appeal dated 03.08.2017, the tenant has come up with this Civil Revision Petition.

2. The learned counsel for the petitioner is absent.

3. Mr.V.Sivakumar, learned counsel appearing for the respondents/landlords would submit that the very RCOP.No.1140 of 2015 has been allowed and eviction has been ordered as the petition filed by the landlord under Section 11(4) of the Tamil Nadu Buildings (Lease and Rent Control) Act was allowed. Aggrieved by the said order of eviction the tenant has preferred an appeal in RCA.No.53 of 2018 and the same is pending on

the file of the Appellate Authority. In view of the above, the Civil Revision Petition itself has become infructuous. Recoding the said statement, this Petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is also closed.

17.08.2020

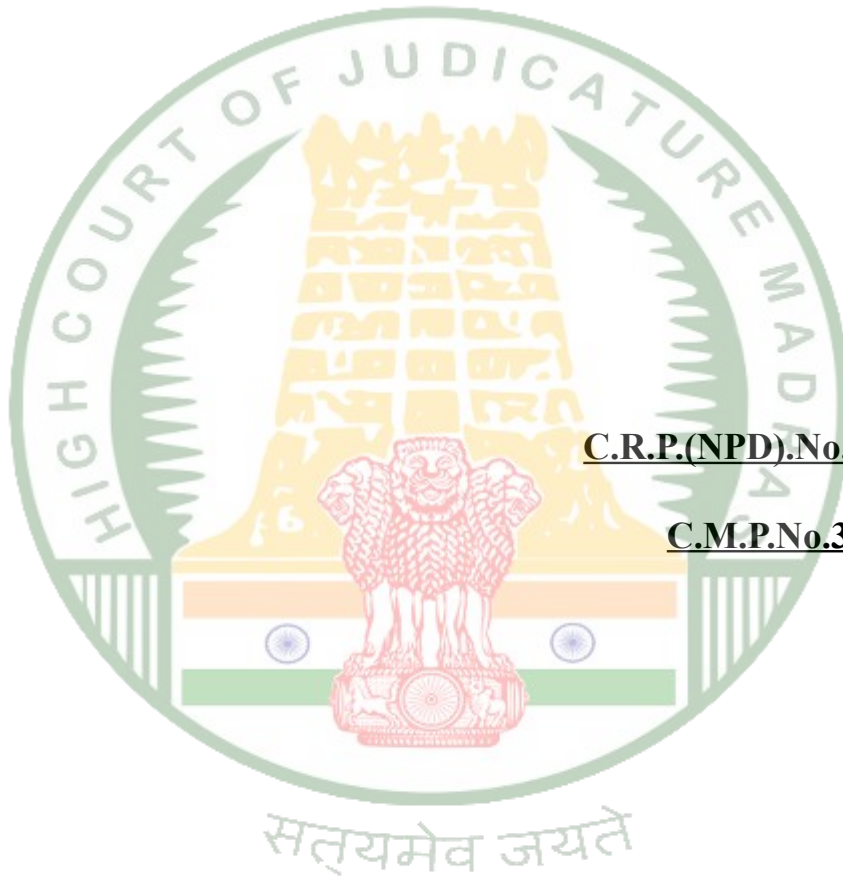
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