



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **30.01.2020**
CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.R.P. (MD)No.1204 of 2013

and

M.P. (MD)No.1 of 2013

Jahir Usen

... Petitioner/ Appellant /
Petitioner / Tenant

Vs.

1.Kamal Batcha

2.Sarbutheen

... Respondents / Respondents/
Petitioners / Landlords

PRAYER: This Petition is filed under Section 25 of the Tamil Nadu Buildings (Lease and Rent Control) Act, to set aside the fair and decretal order, dated 13.03.2013 made in RCA.No.3 of 2013 on the file of the learned Sub Judge, Devakkottai confirming the order, dated 02.01.2013 in RCOP.No.30 of 2011 on the file of the learned Principal District Munsif cum Judicial Magistrate (Rent Controller), Karikudi by allowing this revision.

For Petitioner : Mr.R.Sundar Srinivasan
For Respondents : No Appearance

O R D E R

This Civil Revision Petition is directed against the dismissal of an application filed by the tenant under Section 8(5) of the Tamil Nadu Buildings (Lease and Rent Control) Act, 1960.

2.Mr.R.Sundar Srinivasan, learned counsel appearing for the petitioner / tenant would submit that the tenant himself has entered into an agreement to purchase the property subject matter of tenancy and a portion of the sale consideration has also been paid as part.

3.Considering the fact that the Tamil Nadu Buildings (Lease and Rent Control) Act, 1960, has now been repealed and replaced by the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017, I do not think that any serious dispute could survive in an application under Section 8(5) of the Act.

4.In view of the statement made by the learned counsel appearing for the petitioner, this Civil Revision Petition is dismissed as infructuous, leaving it open to the petitioner to seek



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reopening of the Civil Revision Petition, if necessary. No costs. Consequently, connected Miscellaneous Petition is also dismissed.

Sd/-

Assistant Registrar

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/ /2020

Sub Assistant Registrar(CS)

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To

1. The Subordinate Judge, Devakkottai.

2. The Principal District Munsif cum Judicial Magistrate
(Rent Controller), Karikudi.

+1 CC to Mr.R.SUNDAR SRINIVASAN, Advocate (SR-4059[F] dated
31/01/2020)

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MK (17.02.2020) 2P 4C