



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.08.2020

CORAM

THE HON'BLE MR.JUSTICE **S.S.SUNDAR**

C.R.P. (MD)Nos.925 and 926 of 2019

and

C.M.P. (MD)No.5308 and 5309 of 2019

WEB COPY

C.R.P. (MD)No.925 of 2019

Jafarullakhan :Petitioner/Petitioner/Respondent/Tenant
Vs

Lucas :Respondent/Respondent/Petitioner/Landlord

PRAYER: Civil Revision Petition is filed under Section 115 of Civil Procedure Code, praying to set aside the fair and decretal order dated 05.04.2019 passed in E.A.No.2 of 2019 in E.P.No.6 of 2016 in R.C.O.P.No.7 of 2010 on the file of Rent Controller (District Munsif Court), Devakottai.

C.R.P. (MD)No.926 of 2019

Jafarullakhan :Petitioner/Petitioner/Respondent/Tenant
Vs

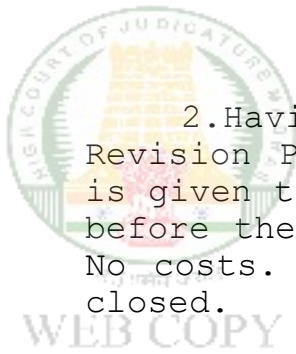
Lucas :Respondent/Respondent/Petitioner/Landlord

PRAYER: Civil Revision Petition is filed under Section 115 of Civil Procedure Code, praying to set aside the fair and decretal order dated 05.04.2019 passed in E.A.No.2 of 2019 in E.P.No.7 of 2016 in R.C.O.P.No.8 of 2010 on the file of Rent Controller (District Munsif Court), Devakottai.

For Petitioner : Mr.M.P.Senthil
in both cases

COMMON ORDER

When the matter is taken up for hearing, the learned Counsel appearing for the petitioner submitted that the revision petitioner/tenant has preferred a Special Leave Petition as against the order of eviction and the Special Leave Petition as on date is pending. He further submitted that pending Special Leave Petition, the respondent/landlord has taken possession by executing the decree. The present Civil Revision Petitions are filed by the tenant as against the order dismissing the petition filed by the tenant for stay of execution proceeding on the ground of pendency of Special Leave Petition. It is now admitted before this Court that the respondent/landlord has taken possession by executing the decree. It is in the said circumstances, the learned Counsel appearing for the petitioner submitted that the prayer in these Civil Revision Petitions has become infructuous and the right of tenant to seek restitution, in case, the verdict of Supreme Court goes in favour of the revision petitioner, may be reserved.



2.Having regard to the above stated circumstances, these Civil Revision Petitions are dismissed as infructuous. However, liberty is given to the petitioner to seek restitution, in case, he succeeds before the Hon'ble Supreme Court challenging the order of eviction. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

SRM

To
The Rent Controller (District Munsif Court),
Devakottai.

C.R.P. (MD) Nos.925 and 926 of 2019
18.08.2020

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