

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

Dated : 17.03.2020

Coram

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

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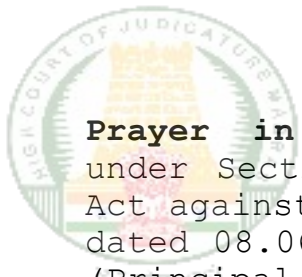
C.R.P.NPD. (MD) .No.2054 to 2057 of 2015

K.Ashok Kumar ... Petitioner/Landlord in all C.R.Ps
Vs.
C.Balu @ Samandia Pillai Respondent/Tenant in
C.R.P. (MD) .No.2054/2015
D.Ramasamy Respondent/Tenant in
C.R.P. (MD) .No.2055/2015
V.Subramanian Respondent/Tenant in
C.R.P. (MD) .No.2056/2015
R.Ramesh Respondent/Tenant in
C.R.P. (MD) .No.2057/2015

Prayer in C.R.P. (MD) .No.2054/2015: Civil Revision Petition filed under Section 25 of the Tamil Nadu Building Lease and Rent Control Act against the fair and decretal order passed in R.C.A.No.2 of 2008 dated 08.06.2012 on the file of the Rent Control Appellate Tribunal (Principal Sub-Court), Dindigul, revising the judgment in R.C.O.P.No.5 of 2006 dated 10.10.2007 on the file of the Rent Controller (Principal District Munsif Court), Dindigul and set aside the same.

Prayer in C.R.P. (MD) .No.2055/2015: Civil Revision Petition filed under Section 25 of the Tamil Nadu Building Lease and Rent Control Act against the fair and decretal order passed in R.C.A.No.3 of 2008 dated 08.06.2012 on the file of the Rent Control Appellate Tribunal (Principal Sub-Court), Dindigul, revising the judgment in R.C.O.P.No.4 of 2006 dated 10.10.2007 on the file of the Rent Controller (Principal District Munsif Court), Dindigul and set aside the same.

Prayer in C.R.P. (MD) .No.2056/2015: Civil Revision Petition filed under Section 25 of the Tamil Nadu Building Lease and Rent Control Act against the fair and decretal order passed in R.C.A.No.4 of 2008 dated 08.06.2012 on the file of the Rent Control Appellate Tribunal (Principal Sub-Court), Dindigul, revising the judgment in R.C.O.P.No.9 of 2006 dated 10.10.2007 on the file of the Rent Controller (Principal District Munsif Court), Dindigul and set aside the same.



Prayer in C.R.P. (MD) .No.2057/2015: Civil Revision Petition filed under Section 25 of the Tamil Nadu Building Lease and Rent Control Act against the fair and decretal order passed in R.C.A.No.5 of 2008 dated 08.06.2012 on the file of the Rent Control Appellate Tribunal (Principal Sub-Court), Dindigul, revising the judgment in R.C.O.P.No.1 of 2006 dated 10.10.2007 on the file of the Rent Controller (Principal District Munsif Court), Dindigul and set aside the same.

For petitioner	:Mr.M.P.Senthil
For respondents	:Mr.M.R.Sreenivasan
	for Mr.R.Nandhakumar (in all C.R.Ps)

C O M M O N O R D E R

The petitioner is the landlord. The respondents are the tenants. The petitioner filed petitions in R.C.O.P.Nos.5, 4, 9 and 1 of 2006 against the respondents to evict and hand over the leased premises on the ground of willful default, demolition and reconstruction before the Rent Controller (Principal District Munsif Court), Dindigul.

2.The learned Rent Controller dismissed the petitions on the ground that the petitioner has not established the ground of 'willful default' and allowed the petitions in respect of the grounds of 'requirement of demolition' and 'reconstruction' and eviction was ordered on that ground. Challenging the said orders passed by the learned Rent Controller, the respondents/tenants had filed appeals before the Rent Control Appellate Authority on the file of the Principal Sub Judge, Dindigul. The learned Rent Control Appellate Authority allowed the appeals filed by the tenants and reversed the orders passed by the Rent Controller. Challenging the orders passed by the Rent Control Appellate Authority, the landlord/ is before this Court by way of these revisions.

3.When the matter came up for hearing, the respondents/tenants have filed an undertaking affidavit stating that they are ready to vacate the premises within a period of six months and also undertake to pay the rent till handing over the possession of the rented premises.

4.The undertaking affidavits filed by the respondents/tenants are recorded and respondents/tenants are directed to vacate the premises within a period of six months as stated by them in the undertaking affidavits and also the respondents/tenants are directed to vacate the premises on or before 16.09.2020 and directly hand over the keys to the petitioner/landlord.

5. With the above direction, all the revision petitions are allowed and the orders passed by the learned Rent Control Appellate Authority/Principal Sub Judge, Dindigul in R.C.A.Nos.2 to 5 of 2008,



dated 08.06.2012 are set aside. The undertaking affidavits filed by the respondents/tenants shall form part of this order. No costs.

Sd/-

Assistant Registrar (CS-II)

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// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Encl: Xerox copy of Undertaking of Affidavit

vs

To

- 1.The Rent Control Appellate Tribunal
(Principal Sub-Court),Dindigul.
- 2.The Rent Controller (Principal District Munsif Court),
Dindigul
- 3.The Section Officer, (2 copies)
V.R. Section,
Madurai Bench of Madras High Court,
Madurai.

+4 CC's to M/s.R.NANDAKUMAR, Advocate (SR-12067 To 12070)

+1 CC to M/s.M.P.SENTHIL, Advocate (SR-12202[F] dated 18/03/2020)

C.R.P. (MD) .Nos.2054 to 2057 of 2015

17.03.2020

SMA/04/06/2020/3P/10C