

O.S.A.Nos.202 to 204 of 2020
and
C.M.P.No.10371 of 2020 & C.M.P.No.5869 of 2021

PUSHPA SATHYANARAYANA, J.
and
KRISHNAN RAMASAMY, J.

(delivered by **PUSHPA SATHYANARAYANA, J.**)

After some arguments, upon query, Mr.Siva Mohan, learned counsel appearing for the fourth respondent/tenant submitted that there was no rent paid from the year 2001 and the rent payable is Rs.9,900/- per month. Admittedly, the rent is being paid from the month of March, 2021. Though he claims that a sum of Rs.10 lakhs was paid to Late. P.R.Padmanabhan, who is the husband of the appellant, no such receipt is produced by the fourth respondent. The only argument advanced by the learned counsel is that, if the fourth respondent/tenant had defaulted in paying the rent, either of the owners should have taken action under the appropriate Act.

2. From the above facts, it is clear that the tenant is in default and she cannot take advantage of her own wrong and seek for possession of the property. The approximate estimate of the arrears as on date is about Rs.24 lakhs.

and
KRISHNAN RAMASAMY, J.

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3. The learned counsel is directed to verify from the tenant whether the arrears of rent can be paid, so that she can be put back in possession.

4. If the tenant is not willing to pay the arrears of rent, it is open to her to vacate the premises.

5. Post the matter on 30.09.2021.

[P.S.N. J.] [K.R. J.]
28.09.2021

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