



C.R.P(NPD).No.2849 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.11.2021

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

C.R.P.No.2849 of 2019
and CMP.No.18655 of 2019

R.Karthikeyan

... Petitioner

Versus

1.S.Palanivel

2.S.Parvathi

... Respondents

PRAYER: Civil Revision Petition filed under Section 25 of Tamil Nadu Buildings Lease and Rent Control Act 18/1960 as amended by Act 23 of 1973, praying to set aside the judgment and decree passed in RCA.No.537 of 2018 on the file of the VII Small Causes Court, Chennai, dated 26.07.2019, confirming the order and decree passed in RCOP.No.788 of 2017 on the file of the XIV Small Causes Court, Chennai, dated 04.06.2018.

For Petitioner : Ms.Sri Vaishnavi Kannan
for Mr.C.T.Mohan

For Respondents : Mr.C.B.Murali Krishnan

ORDER

(This case has been heard through Video Conference)

This Civil Revision Petition has been filed to set aside the judgment and decree passed in RCA.No.537 of 2018 on the file of the VII



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Small Causes Court, Chennai, dated 26.07.2019, confirming the order and decree passed in RCOP.No.788 of 2017 on the file of the XIV Small Causes Court, Chennai, dated 04.06.2018.

2. Heard both sides.

3.The revision petitioner herein is the tenant against whom RCOP.No.788 of 2017 was filed by the respondents/landlord for eviction under Section 10(2) (i) of the Tamil Nadu Buildings Lease and Rent Control Act 18/1960. The said application was contested by the tenant and on hearing both sides, the said application was allowed on the ground of wilful default and the respondent was directed to vacate and hand over the vacant possession of the property. Against which, the appeal was filed.

4.On hearing both sides, the Rent Control Authority also dismissed the appeal by confirming the order passed in RCOP.No.788 of 2017. Aggrieved by that, the tenant preferred this revision.



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5.The learned counsel appearing for the petitioner would submit

that he is ready to deposit the rent and there is an arrears of Rs.40,000/- as on date and for the past two years, the rent has not been paid. There is no proof on the side of the revision petitioner that as on date they are depositing the rent.

6.Admittedly, the original RCOP proceeding was initiated in the year 2017 on the ground of wilful default of the payment of the rent. The conduct of the revision petitioner would reveal that till date he is not depositing the rent promptly.

7.Accordingly, this Civil Revision Petition is dismissed as no merits and the revision petitioner is directed to vacate the premises within a period of three months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed. No costs.

01.11.2021

Internet : Yes / No

Index : Yes / No

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T.V.THAMILSELVI, J.
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WEB COPY To

1. The VII Small Causes Court,
Chennai.
- 2.The XIV Small Causes Court,
Chennai.

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