

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2021

CORAM

THE HON'BLE Mr. JUSTICE G.K.ILANTHIRAIYAN

C.R.P.No.3092 of 2018

and

CMP No.17857 of 2018

S.D.Gulacha

...

Petitioner

Vs

P.Sunderrajan

...

Respondent

Prayer :- Civil Revision Petition is filed under Section 25 of the Tamil Nadu Buildings (Lease and Rent Control) Act, 1960 against the Judgment and Decree dated 26/07/2018 passed in RCA No.1/2017 on the file of the Rent Control Appellate Authority and Subordinate Judge, at Coonoor confirming the Fair and Decreetal Order dated 24/01/2017 passed in RCOP No.3 of 2013 on the file of the Rent Controller at Coonoor.

For Petitioner : Mr.M.Arvind Kumar

For Respondent : Mr.N.Damodaran

ORDER

This Civil Revision Petition is filed against the Judgment and Decree dated 26/07/2018 passed in RCA No.1/2017 on the file of the Rent Control Appellate Authority and Subordinate Judge, Coonoor, thereby confirming the Fair and Decreetal Order dated 24/01/2017 passed in RCOP No.3 of 2013 on the file of the Rent Controller at Coonoor, thereby ordering eviction on the ground of own use and occupation.

2. The petitioner is the tenant and the respondent is the landlord. The landlord filed the petition for eviction on the ground of own use and occupation.

3. The Learned Rent Controller allowed the eviction petition on the ground of own use and occupation and thereby directed the tenant to vacate and handover the possession of the petition mentioned premises to the landlord within a period of two months from 24.01.2017. Aggrieved by

the same, the petitioner preferred an appeal before the Rent Control Appellate Authority and the same was also dismissed confirming the order passed by the Learned Rent Controller, Coonoor. Aggrieved by the same, the present Civil Revision Petition has been filed.

4.The learned counsel appearing for the petitioner/tenant would submit that though there are several grounds to be agitated, the petitioner /tenant is willing to vacate the petition premises and sought for further time to vacate the petition premises.

5.Considering the said request of the petitioner/tenant, the order passed by the Courts below is confirmed. Accordingly, the civil revision petition is dismissed. Since the petitioner is inclined to vacate the petition premises, three months time is granted for the petitioner to vacate the petition premises. Accordingly, the petitioner/tenant is directed to vacate the petition premises on or before 01.11.2021, failing which, the respondent/landlord is at liberty to file an execution petition to evict the

petitioner from the petition premises. No order as to costs. Consequently,
connected civil miscellaneous petition is closed.

Speaking/Non-speaking order

Index : Yes/No

Internet : Yes/No

sms

05.07.2021

To

1.The Rent Control Appellate Authority
and Subordinate Judge of the Nilgiris,
Udhagamandalam.

2.The Rent Controller at Coonoor.



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G.K.ILANTHIRAIYAN.J.

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