

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.06.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

C.R.P.(NPD) No.4107 of 2018
and C.M.P.No.22656 of 2018

Mohan Kumar ... Petitioner

Vs

Parthasarathy ... Respondent

Prayer: Civil Revision Petition filed under Section 25 of Tamil Nadu Rent and Lease Control Act, against the fair and decreetal order dated 07.07.2018 passed by the Rent Control Appellate Authority (Sub Judge) at Mannargudi in R.C.A.No.4 of 2015 confirming the fair and decreetal order passed by the learned Rent Controller (District Munsif) at Mannargudi in I.A.No.8 of 2015 in R.C.O.P.No.14 of 2012 pending on the file of learned District Munsif (Rent Controller).

For Petitioner : Ms.S.Thamizh Poonkuilmozhi

For Respondent : M/s.P.T.Ramadevi

ORDER

The Civil Revision Petition is filed against the fair and decreetal order dated 07.07.2018 passed by the Rent Control Appellate Authority (Sub Judge) at Mannargudi in R.C.A.No.4 of 2015 confirming the fair and decreetal order passed by the learned Rent Controller (District Munsif) at Mannargudi in I.A.No.8 of 2015 in R.C.O.P.No.14 of 2012 pending on the file of learned District Munsif (Rent Controller), thereby dismissing the appeal.

2. The petitioner is the tenant and the respondent is the landlord. The landlord filed the petition for revision on the ground of wilful default. While pending the Rent Control Proceedings, the landlord filed the petition claiming rental arrears. In the said petition, the tenant disputed the monthly rent and agreed to pay the admitted rent of Rs.1000/-.

3. Accordingly, the learned Rent Controller directed the tenant to deposit a total arrears of rent of Rs.57,000/- within a period of one month. Aggrieved by the same, the tenant filed the appeal before the learned Rent Control Appellate Authority and initially the learned Rent Control Appellate Authority passed an interim order on condition to deposit the arrears amount.

4. Aggrieved by the same, the tenant preferred the Civil Revision Petition before this Court in C.R.P.No.1124 of 2017. In the said Civil Revision Petition, this Court passed a conditional order dated 23.03.2017 directing the tenant to deposit a sum of Rs.31,000/-. The said order has been complied with by the tenant. Thereafter, the learned Rent Control Appellate Authority dismissed the appeal.

5. The learned counsel for the tenant submitted that while admitting this Civil Revision Petition, the tenant paid a sum of Rs.23,000/- as rental arrears. However, the learned Rent Controller passed an interim order directing the tenant to deposit the admitted rental arrears of Rs.57,000/- till

31.12.2014. Therefore, the learned Rent Control Appellate Authority rightly dismissed the appeal and this Court finds no infirmity or illegality in the orders passed by the Courts below.

6. However, the learned Rent Controller is directed to set off the amount deposited by the tenant so far while calculating the rental arrears. The learned Rent Controller is directed to dispose the petition for rental arrears within a period of *six months* from the date of receipt of a copy of this order.

7. Accordingly, this Civil Revision Petition is dismissed. Consequently, the connected miscellaneous petition is closed. No order as to costs.

29.06.2021

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
rna

WEB COPY

To

1.The Sub Judge,
Mannargudi.

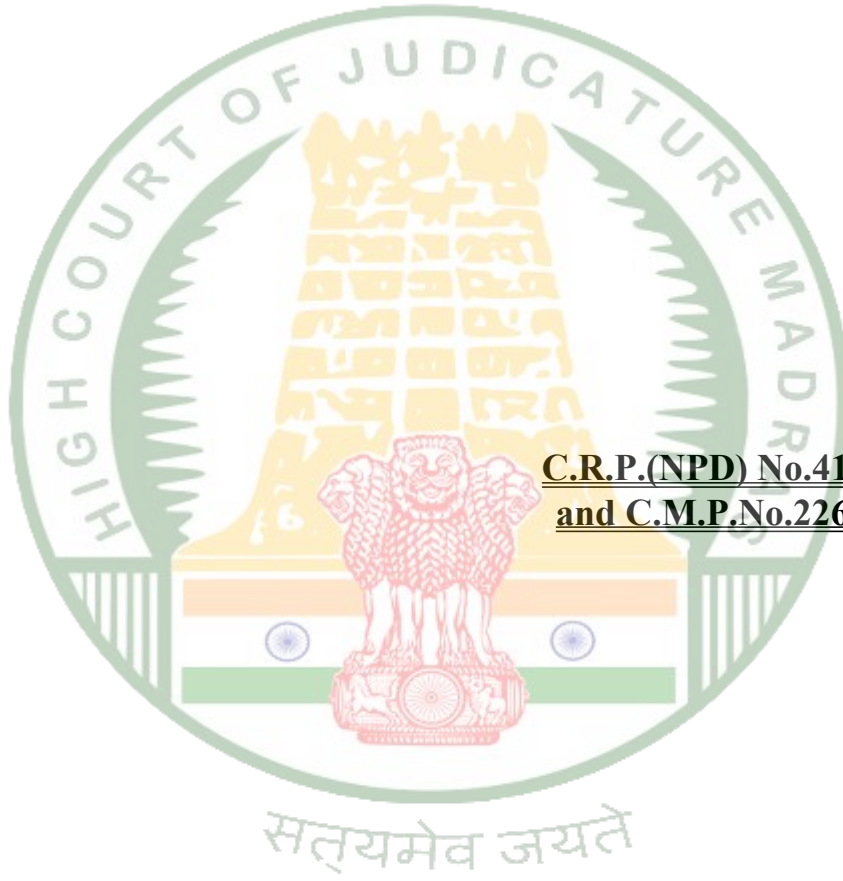
2.The District Munsif,
Mannargudi.



WEB COPY

G.K.ILANTHIRAIYAN. J,

rna



C.R.P.(NPD) No.4107 of 2018
and C.M.P.No.22656 of 2018

WEB COPY

29.06.2021