



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.01.2021

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

CRP(MD).No. 133 of 2010

G. Krishnasami

: Revision Petitioner / Petitioner

Vs

1. Govindarajan

2. Varadarajan

3. Pappa Ammal

4. Balasubramanian

5. Kothandaraman

: Respondents / Respondents

Prayer: Civil Revision Petition filed under Section 115 C.P.C against the order, dated 18.11.2009 in Petition No.50 of 2007, on the file of the Revenue Court, Thanjavur.

For Petitioner : Mr.M.U. Venkateshan

For R1 and R2 : Mr. S. Sivathilagar

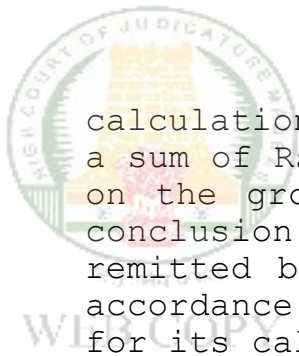
ORDER

This revision has been filed against the order of the Revenue Court, dated 18.11.2009 made in petition No.50 of 2007. The said petition was filed by the landlord seeking eviction on the ground that the tenant has not paid the rent as fixed by the Revenue Court, earlier in Petition .No. 106 of 1993.

2. According to the landlord, the said fixation has been affirmed by this Court in CRP.No.1315 of 1995. When the landlord sought for eviction on the ground that the tenant has failed to pay the rent as fixed by the Revenue Court in petition No.106 of 1993, the tenant had filed a calculation memo stating that the quantum of grains to be measured by the tenant is 18 Kalams and 9 Marakkals per Bogum. On the basis of the said calculation, the tenant contended that he is liable to pay only a sum of Rs.11,340/- as against the claim of the landlord that he is entitled to a sum of Rs. 1,68,000/-. The Revenue Court without assigning any reason whatsoever accepted the calculation of the tenant and directed the tenant to pay a sum of Rs.11,340/- as arrears.

3. I have heard Mr.M.U. Venkateshan, learned counsel appearing for the petitioner and Mr.S. Sivathilagar, learned counsel appearing for the respondents 1 and 2.

4. Needles to state that the order of the Revenue Court is wholly unreasoned and has to be set aside only on the ground of absence of reasons. The Revenue Court has not discussed the claim of the landlord and the tenant. It has blindly followed the



calculation memo filed by the tenant and directed the tenant to pay a sum of Rs.11,340/- towards arrears. This order is set aside only on the ground that there is no reason given in support of the conclusion of the Revenue Court. The petition No.50 of 2007 is remitted back to the Revenue Court to be heard and disposed of in accordance with law. The Revenue Court shall assign proper reasons for its calculation.

5. The Civil Revision Petition is disposed of accordingly.
No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

The Revenue Court, Thanjavur.

+1 CC to M/s.M.V.VENKATASESHAN, Advocate (SR-2220[F] dated 27/01/2021)

+1 CC to M/s.S.SIVA THILAKAR, Advocate (SR-2086[F] dated 25/01/2021)

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ES(CO)

KB(08.03.2021) 2P 4C