



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Thursday, the Twenty Fifth day of November Two Thousand and
Twenty One

WEB COPY

PRESENT

The Hon`ble Ms.Justice P.T.ASHA

CMP(MD) No.9868 of 2021
in
CRP(MD) No.1570 of 2021

V.GABRIEL NIRAIVALAN
THROUGH HIS POWER OF ATTORNEY
V.ANTONY ANGELO

... PETITIONER/ RESPONDENT/
RESPONDENT

Vs

THOMAS

... RESPONDENT/ PETITIONER/
PETITIONER

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to vacate the order of stay passed in CMP(MD).No.8595/2021 in CRP (MD).No.1570/2021 dated 21-10-2021.

Prayer in CMP(MD) . 8595/ 2021 :

To stay the operation of the fair and decreetal order passed in RCOP No.08 of 2016 dated 25.02.2019 on the file of the Rent Control Authority (Principal District Munsif Court), Tuticorin, which is confirmed in RCA No.01 of 2020 on the file of the Rent Control Appellate Authority (Sub Court), Tuticorin dated 31.03.2021 pending disposal of the civil revision petition.

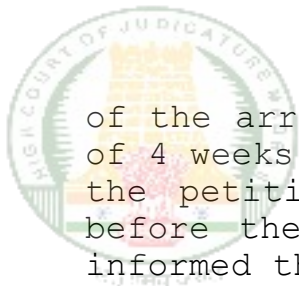
PRAYER IN CRP(MD) No.1570 of 2021:

To set aside the fair and decreetal order passed in RCA No.1 of 2020, on the file of the Rent Control Appellate Authority (Sub Judge), Tuticorin dated 31.03.2021 confirming the fair and decreetal order passed in RCOP No.8 of 2016, on the file of the Rent Control Authority (Principal District Munsif), Tuticorin dated 25.02.2019.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.KA.RAAMA KRISHNAN, Advocate for the petitioner, the court made the following order:-

It is brought to the notice of this Court that the conditional order granted by this Court has not been complied with. Though 50%

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of the arrears of rent was directed to be deposited within a period of 4 weeks from the date of receipt of a copy of that order and that the petitioner would continue to deposit the monthly rent on or before the 10th of every succeeding English Calendar month, it is informed that this order has not been complied with.

2.The learned counsel appearing for the respondent has pointed out that an order has been passed on 10.11.2021 by the Rent Controller in E.P.No.88 of 2019 regarding the fact that the respondent has not complied with the orders of this Court.

3.In view of the above, this Civil Miscellaneous Petition stands ordered as prayed for and the stay granted in C.M.P.(MD) No.8595 of 2021 is vacated. It is open to the Court below to proceed with the execution.

sd/-

25/11/2021

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/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE PRINCIPAL DISTRICT MUNSIF,
THE RENT CONTROL AUTHORITY,
TUTICORIN.

2 THE SUBORDINATE JUDGE,
THE RENT CONTROL APPELLATE AUTHORITY,
TUTICORIN.

+1 CC to M/s.KA.RAAMAKRISHNAN, Advocate (SR-8521[I] dated 25/11/2021)

ORDER IN

CMP(MD) No.9868 of 2021 IN

CRP(MD) No.1570 of 2021

Date :25/11/2021

MM

MS/VR/SAR-1/26.11.2021/2P.4C