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Review Application Nos.83, 97 and 98 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2022

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Review Application Nos.83, 97 and 98 of 2022
and C.M.P.No.7252 of 2022

K.F.Jacob

... Petitioner in all
Rev. Applns.

Vs.

Estate of M.A.Browne (Deceased)
by Administrator J.Prabu

... Respondent in all
Rev. Applns.

Common Prayer : The Petitions are filed under Order XLVII Rule-1 r/w Section 114 of Code of Civil Procedure, to set aside the common order dated 09.02.2021 passed in CRP.No.601 of 2012 and S.A.No.300 of 2012 and S.A.No.301 of 2012.

For Petitioner
in all Rev.Applns

: Mr.V.Shanmuganathan

COMMON ORDER

All the petitions have been filed to review the order common order dated 09.02.2021 passed by this Court in CRP.No.601 of 2012 and S.A.No.300 of 2012 and S.A.No.301 of 2012.



2. The petitioner is the tenant and the respondent is the landlord. The

landlord filed a petition for eviction, on the ground of wilful default of rent.

The learned Rent Controller allowed the petition and ordered for eviction as against the tenant. Aggrieved by the same the tenant filed an appeal and the learned Rent Control Appellate Authority allowed the appeal and dismissed the petition filed by the landlord for eviction. As against the said order the landlord filed a Civil Revision Petition in C.R.P.No.601 of 2012 before this Court.

3. The landlord also filed two suits for recovery of rental arrears in O.S.No.211 of 2005 for the period from 01.06.2002 to 30.06.2005 and O.S.No.89 of 2008 for the period from 01.07.2005 to 31.05.2008. Though the trial Court allowed both the suits in favour of the landlord, the first appellate Court dismissed the suits, by allowing the appeals filed by the tenant. Aggrieved by the same the landlord filed two Second Appeals in S.A.Nos.300 & 301 of 2012 before this Court.

4. This Court heard both the Civil Revision Petition and the Second Appeals and by the common order dated 09.02.2021 allowed all the cases in favour of the landlord. This Court also directed the tenant to vacate and hand over the vacant possession of the petition premises to the landlord within a



Review Application Nos.83, 97 and 98 of 2022

period of three months from the date of receipt of a copy of that order. It is also seen that the tenant also preferred Special Leave Petitions before the Hon'ble Supreme Court of India in SLP.Nos.13624 to 13626 of 2021 and the same were also dismissed as withdrawn with liberty to file review before this Court. Thereafter, the tenant filed these present Review Applications.

5. This Court finds no apparent error on the face of records as such the petitioner failed to make any ground to review the order passed by this Court. Considering the above facts and circumstances, this Court finds no merits in these Review Applications to review the common order dated 09.02.2021 passed by this Court in CRP.No.601 of 2012 and S.A.Nos.300 & 301 of 2012. However, the time granted by this Court, to vacate and hand over the vacant possession of the petition premises to the landlord, is extended for further period three months from today i.e., on or before 23.09.2022.

6. Accordingly, all the Review Applications are dismissed. Consequently, connected miscellaneous petition is closed.

24.06.2022

Internet : Yes
Index : Yes/No
Speaking/Non Speaking order
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G.K.ILANTHIRAIYAN, J.

rts

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