



C.R.P.(NPD) No.1684 & 1687 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2022

CORAM : JUSTICE N.SESHASAYEE

C.R.P.(NPD) No.1684 of 2019
& C.R.P.(NPD) No.1687 of 2019
and C.M.P.No.10882 of 2019

Indira Gandhi

Rep by her Power of Attorney Agent Mr.N.Sekar

... Petitioner / Respondent / 1st Respondent
(in both CRPs)

Vs.

1.S.Immanuvel Thamilselvan ... Respondent / Petitioner / Appellant

2.D.Natarajan ... Respondent / 2nd Respondent / 2nd Respdt
(in both CRPs)

Common Prayer : Civil Revision Petitions filed under Section 25 of the Tamil Nadu Buildings (Lease & Rent Control) Act 1960, praying to set aside the order and decretal order dated 02.03.2019 made in I.A.No.157 of 2018 in RCA.No.16 of 2018 passed by the learned Subordinate Judge, Poonamallee.

In both C.R.Ps :

For Petitioner : Mr.M.Muruganantham

For Respondents : Mr.Vivekanandan [R2]



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ORDER

The revision petitioner is the landlord and she has laid R.C.O.P.No.56 of 2014 before the Principal District Munsif cum Rent Controller, Poonamallee, for eviction of the respondents / tenants. Alleging that the respondents are in arrears of rent, the landlord/revision petitioner has taken out an application in M.P.No.154/2016 under Section 11(4) of the Tamil Nadu Buildings (Lease and Rent Control) Act, 1960 in R.C.O.P.No.56/2014. This came to be allowed by the Rent Controller on 30.07.2018, directing the tenants to pay the arrears of rent within a stipulated time. Since the tenants could not comply with the order of the Rent Controller dated 30.07.2018, an order of eviction came to be passed on 31.08.2019. Challenging the orders of the Rent Controller, the first respondent herein /tenant has preferred two appeals viz., RCA.No.16 of 2018 and RCA.No.25 of 2018. In both these appeals, he took out applications in I.A.No.157 of 2018 and I.A.No.177 of 2018 respectively, for stay of the orders dated 30.07.2018 and 31.08.2018. Aggrieved by the same, the landlord had preferred these two revisions.

2. Heard both sides. It would have been appropriate for the landlord to



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have approached the Rent Control Appellate Authority to have stay orders vacated rather than rushing to this Court with these revisions. Therefore, this Court merely directs the revision petitioner / landlord to approach the concerned Rent Control Appellate Authority, to have their applications for vacating the order of stay passed in RCA.No.16 of 2018 and RCA.No.25 of 2018. This Court also considers it appropriate to direct the appellate authority to dispose of both these RCA.No.16 of 2018 and RCA.No.25 of 2018, within a period of two months, at any rate not later than July' 2022.

3. With the above directions, these revisions are disposed of. No costs. Consequently, C.M.P.No.10882 of 2019 stands closed.

26.04.2022

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

ds

To:
The Sub Judge
Poonamallee.



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N.SESHASAYEE.J.,

ds

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