



C.R.P.No.2891 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2022

CORAM:

THE HONOURABLE Mr. JUSTICE S.SOUNTHAR

C.R.P.No.2891 of 2022

A.Abdul Basith

... Petitioner

Vs.

V.Vishwanathan

... Respondent

PRAYER : Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 04.03.2022 made in I.A.No.3 of 2021 in O.S.No.360 of 2020 on the file of the District Munsif Court, Pollachi.

For Petitioner : Mr.V.Anandhamoorthy

For Respondent : Mr.A.S.Vijayaraghavan

ORDER

This Civil Revision Petition is arising out of petition filed by the petitioner /plaintiff seeking leave of the Court to deposit the arrears of rent.

2. The said application was dismissed by the Court below mainly on the ground that there is dispute with regard to the quantum of rent between the parties



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and hence the application cannot be considered. The petitioner in his plaint claimed that the quantum of rent was Rs.7,000/- and the respondent in his written statement mentioned the quantum of rent as Rs.7,500/-. Subsequently, the petitioner herein filed I.A.No.2 of 2021 seeking amendment of the plaint to correct the quantum of rent as Rs.7,500/- and the said I.A.No.2 of 2021 was dismissed by the Court below on 01.12.2021 and subsequently the present I.A.3 of 2021 was filed for deposit of arrears of rent and the same was dismissed by the Court below on 04.03.2021.

3. Today, this Court allowed the C.R.P.No.2905 of 2022 by setting aside the order passed by the Court below in I.A.No.2 of 2021. In view of the fact C.R.P.No.2905 of 2022 was allowed, it is open to the petitioner to file a fresh application for deposit of arrears of rent at the rate of Rs.7,500/- In view of the liberty granted, no further orders are necessary in this application. This Civil Revision Petition is disposed of with a liberty to file a fresh application for deposit of arrears of rent at the rate of Rs.7.500/-. No costs.

07.11.2022
(¹/₂)

Index: Yes/ No
Speaking Order / Non-Speaking Order
jai



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To

WEB
The District Munsif Court,
Pollachi.



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S.SOUNTHAR, J.

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