



WEB COPY



CRP No.455 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2022

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CRP.No.455 of 2019
and C.M.P.No.3016 of 2019

A.Srinivasan

..Petitioner

Vs.

A.David

..Respondent

Prayer: Civil Revision Petition filed under Section 25 of TN Building (Lease and Rent Control) Act, to set aside the order made in I.A.No.4 of 2018 in R.C.A.No.5 of 2018 dated 17.09.2018 by the Subordinate Court, Tambaram.

For Petitioner : Ms.A.Poonkodi

For Respondent : Mr.P.Sathish Kumar
for Mr.T.Ramachandran

ORDER

The civil revision petition has been filed as against the order dated 17.09.2018 passed in I.A.No.4 of 2018 in R.C.A.No.5 of 2018 on the file of the Subordinate Court, Tambaram, thereby dismissing the application filed for interim stay.

2. The petitioner is a tenant under the respondent. The respondent filed an eviction petition on the ground of wilful default in RCOP.No.99 of 2012 and the



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same was allowed, by an order dated 21.02.2017. Aggrieved by the same, the petitioner preferred an appeal in R.C.A.No.5 of 2018 and along with the appeal, the petitioner also filed a petition for stay to stay all further proceedings of the order passed in RCOP.No.99 of 2012. The petitioner subsequently filed an another RCOP.No.120 of 2013 for depositing of rent and on the strength of the order passed in said RCOP, the petitioner deposited a sum of Rs.1,17,000/- calculating the rent as Rs.1800/- per month whereas, as per the order in RCOP.No.99 of 2012, the petitioner ought to have paid a sum of Rs.2500/- as monthly rent. Therefore, the first Appellate Court rightly dismissed the application for stay and this Court finds no infirmity or illegality in the orders passed by the Courts below.

3. Accordingly, the civil revision petition stands dismissed. However, the Rent Control Appellate Authority is directed to dispose of the R.C.A.No.5 of 2018, within a period of three months from the date of receipt of a copy of this order, if not already disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Speaking/Non-speaking order
Index : Yes/No
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G.K.ILANTHIRAIYAN.J.

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To

The Subordinate Court,
Tambaram.

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