



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :17.02.2022

CORAM:

THE HONOURABLE MRS. JUSTICE S.ANANTHI

C.R.P (MD).No.278 of 2022

and

C.M.P (MD)No.1256 of 2022

M.MAHARAJAN ... Petitioner/Appellant/Respondent (Tenant)

Vs

A.VINCENT CHARLESS ... Respondent/Respondent/Petitioner (Landlord)

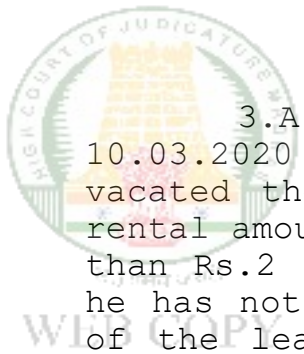
PRAYER : This Civil Revision Petition is filed under Section 25 of Tamil Nadu Buildings (Lease & Rent Control) Act, 1960, to set aside the fair and decreetal Order, dated 10.12.2021 passed in RCA.No.1 of 2020 on the file of Rent Control Appellate Authority (Sub Court) Thirumangalam, confirming the fair and decreetal order, dated 10.03.2020, passed in R.C.O.P.No.13 of 2017 on the file of the Rent Controller (District Munsif Court), Thirumangalam by allowing this Civil Revision Petition and thus render justice.

For Petitioner	: Mr.P.Santhanakrishnan
For Respondent	: Mr.Lakshmi Gopinathan

O R D E R

This Civil Revision Petition has been filed to set aside the fair and decreetal Order, dated 10.12.2021 passed in RCA.No.1 of 2020 on the file of Rent Control Appellate Authority (Sub Court) Thirumangalam, confirming the fair and decreetal order, dated 10.03.2020, passed in R.C.O.P.No.13 of 2017 on the file of the Rent Controller (District Munsif Court), Thirumangalam.

2.The respondent/landlord has filed RCOP.No.13 of 2017 under Section 10(2) (i), 10(2) (iii) and 10(3) (a) (3) of Tamil Nadu Buildings (Lease and Rent Control) Act 1960, to vacate the revision petitioner/tenant from his premises and handover the property to him, which was allowed by the learned Rent Controller/District Munsif, Tirumangalm on 10.03.2020 and directed the revision petitioner/tenant to vacate the premises within two months from 10.03.2020. Aggrieved by the said order, the revision petitioner/tenant has filed RCA.No.1 of 2020 before the Rent Controller Appellate Authority (Subordinate Court), Tirumangalam and the same was dismissed on 10.12.2021. Against which, the revision petitioner has filed this Civil Revision Petition before this Court.



3.A perusal of records show that as per order, dated 10.03.2020 in RCOP.No.13 of 2017 the revision petitioner/tenant has vacated the premises in May 2020. But he has not deposited the rental amount from October 2020 and arrears amount also pending more than Rs.2 lakhs. So without depositing the rental amount and also he has not vacated the premises within two months as per direction of the learned Rent Controller/District Munsif, Tirumangalm, this Court is of the view that there are no merits in the petition and the petition is liable to be dismissed.

4.In view of the above, this Civil Revision Petition stands dismissed by confirming the fair and decreetal Order, dated 10.12.2021 passed in RCA.No.1 of 2020 on the file of Rent Control Appellate Authority (Sub Court) Thirumangalam. The revision petitioner/tenant is directed to vacate the premises within a period of one month from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vsd

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 Rent Controller Appellate Authority
(Subordinate Court),
Tirumangalam.

2.The Rent Controller (District Munsif Court),
Tirumangalam.

Copy to

The Section Officer, V.R.Section,
Madurai Bench of Madras High Court, Madurai

+1 CC to M/s.POLAX LEGAL SOLUTIONS, Advocate (SR-7230[F] dated 18/02/2022)



C.R.P(MD).No.278 of 2022

+1 CC to M/s.P.SANTHANA KRISHNAN, Advocate (SR-7313[F] dated
21/02/2022)

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and
C.M.P (MD) No.1256 of 2022
17.02.2022

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