



C.R.P (MD) No. 469 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 14.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

C.R.P (MD) No. 469 of 2022

and

CMP (MD) No. 2041 of 2022

S.Nachimuthu

... Petitioner

Vs

S.Sujatha

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order passed in RCA.No.17 of 2018 dated 25.11.2021 on the file of the Rent Control Appellate Authority [Principal Sub Court, Dindigul] confirming the fair and decreetal order passed in RCOP.No.44 of 2014 dated 04.07.2018 on the file of the Rent Control Tribunal [Principal District Munsif Court], Dinditl by allowing this civil revision petition.

For Petitioner : Mr.A.Chandrakumar

For Respondent : Mr.Sarvagan Prabhu



C.R.P (MD) No. 469 of 2022

ORDER

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This civil revision petition is filed as against the fair and decreetal order passed in RCA.No.17 of 2018 dated 25.11.2021 by the Rent Control Appellate Authority / Principal Sub Court, Dindigul confirming the fair and decreetal order passed in RCOP.No.44 of 2014 dated 04.07.2018 by the Rent Control Tribunal, Principal District Munsif Court, Dindigul by allowing this civil revision petition.

2.The respondent/ landlord filed a petition in RCOP.No.44 of 2014 before the Rent Controller for eviction of the petitioner/ tenant on the ground of non-payment of rent and for own use. The Rent Controller by order dated 04.07.2018 allowed the petition by directing the petitioner / tenant to vacate the premises and to hand over the possession within a period of two months from thereon. Aggrieved over the same, the petitioner filed an appeal in RCA.No.17 of 2018 before the Rent Control Appellate Authority and the appeal was dismissed by order dated



C.R.P (MD) No. 469 of 2022

25.11.2021. Challenging the same, the petitioner/ tenant has filed this Civil Revision Petition.

3.This Court is not inclined to entertain this civil revision petition on the grounds raised by the petitioner. However the petitioner raised a plea that he is running a business in the suit property and requests some time to find out an alternate place and the petitioner has filed an undertaking affidavit on 14.09.2022 that he would vacate the premises within a period of one year, i.e., on or before 15.09.2023.

4.In view of the request that the petitioner is running a business in the suit property and needs some breathing time and also in view the affidavit dated 14.09.2022 filed by the petitioner, in order to provide some time to the petitioner, this Revision Petition is disposed of with a direction to the petitioner to hand over the premises within a period of eight months, i.e., on or before 15.05.2023 to the respondent. No costs. Consequently connected miscellaneous petition stands closed.

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C.R.P (MD) No. 469 of 2022

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5.The affidavit dated 14.09.2022 filed by the petitioner shall form part of this order.

14.09.2022

dsk

To

- 1.The Rent Control Appellate Authority /
The Principal Sub Judge,
Dindigul.
- 2.The Rent Controller /
The District Munsif,
Dindigul.



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C.R.P (MD) No. 469 of 2022

B. PUGALENDHI, J.

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C.R.P (MD) No. 469 of 2022

14.09.2022