



CRP(MD)No.1526 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 23.08.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CRP(MD)No.1526 of 2022
and
C.M.P.(MD)No.6520 of 2022

R.Rajinikanth

... Petitioner

versus

1. R.Senthilathiban
2. R.Abraham

... Respondents

Civil Revision Petition filed under Section 25 of the Tamil Nadu Building (Lease and Rent Control) Act, 1960, against the fair and decreetal order dated 11.01.2022 made in R.C.A.No.5 of 2019 on the file of the Rent Control Appellate Authority (Subordinate Judge), Tiruchendur, confirming the fair and deceetal order dated 03.12.2018 made in R.C.O.P.No.3 of 2012 on the file of the Rent Controller (District Munsif), Tiruchendur.

For Petitioner : Mr.K.S.Vamsidhar



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ORDER

This Civil Revision Petition is filed against the fair and decreetal order dated 11.01.2022 made in R.C.A.No.5 of 2019 on the file of the Rent Control Appellate Authority (Subordinate Judge), Tiruchendur, confirming the fair and decreetal order dated 03.12.2018 made in R.C.O.P.No.3 of 2012 on the file of the Rent Controller (District Munsif), Tiruchendur.

2. Originally, the petition mentioned property belonged to one Victoria Rani, who is the mother of the petitioner herein. She executed a sale deed in favour of the first respondent herein. On the same day, she had taken the premises on lease and executed a rental agreement in favour of the first respondent herein. After the death of said Victoria Rani, the petitioner herein occupied the premises and subleased a portion of the property to a third person. During the life time of the said Victoria Rani, she failed to pay the rent and thereafter, the



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petitioner also claims that he is the absolute owner of the property.

Therefore, the first respondent herein filed a petition in R.C.O.P.No.3 of 2012 before the Rent Controller, namely, the District Munsif, Tiruchendur, for eviction. The petitioner herein denied all the allegations made by the first respondent herein. After enquiry, the Rent Controller, by order dated 03.12.2018, allowed the petition, directing the tenant to vacate the premises and handover the possession of the petition mentioned property to the landlords within a period of one month. Aggrieved over the same, the petitioner herein filed an appeal in R.C.A.No.5 of 2019 before the Rent Control Appellate Authority, namely, the learned Subordinate Judge, Tiruchendur. The Rent Control Appellate Authority, by order dated 11.01.2022, confirmed the order passed by the Rent Controller and dismissed the appeal. Aggrieved over the same, the petitioner is before this Court.

3. Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioner filed an affidavit stating that the



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petitioner will vacate the petition mentioned property and hand over the possession to the first respondent within a period of twelve months, i.e. by 15.08.2023.

4. Recording the same, the Civil Revision Petition is disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

23.08.2022

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Index : Yes / No.

Internet: Yes / No.

To

1. The Rent Control Appellate Authority
(Subordinate Judge),
Tiruchendur.

2. The Rent Controller,
(District Munsif),
Tiruchendur.



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B.PUGALENDHI, J.

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