



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 26.04.2022
CORAM

THE HONOURABLE MRS.JUSTICE S. ANANTHI

C.R.P (PD) (MD) .Nos. 956 and 957 of 2022

WEB COPY

In both petitions:

Ragunath

... Petitioner/Petitioner/
Plaintiff

Vs

1.Natarajan
2.Meena Natarajan

....Respondents/Respondents/
Defendants

COMMON PRAYER: Civil Revision Petitions filed under Article 227 of Constitution of India to set aside the Fair and Decreetal Order dated 25.03.2022 in I.A. No. 16 of 2022 and I.A.No.17 of 2022 in O.S. No. 102 of 2021 passed by the learned District Munsif, Keeranur, Pudukkottai District.

For Petitioner : Mr.Prabhu, Advocate for
Mr.D.Rameshkumar, Advocate
in both cases

COMMON ORDER

To set aside the Fair and Decreetal Orders dated 25.03.2022 in I.A. No. 16 of 2022 and I.A.No.17 of 2022 in O.S. No. 102 of 2021 passed by the learned District Munsif, Keeranur, Pudukkottai District, the revision petitioner has filed these Civil Revision Petitions.

2.Heard the learned counsel appearing for petitioner and perused the materials available on record.

3.The petitioner is the plaintiff and the respondents are defendants in O.S.No.102 of 2021. The suit is filed for the relief of permanent injunction. The revision petitioners has filed these petitions against the dismissal orders passed in I.A.Nos.16 of 2022 and 17 of 2022. I.A.No.16 of 2022 was filed seeking permission of the Court to deposit the rental amount and I.A.No.17 of 2022 was filed for appointment of Advocate Commissioner. As per the case of plaintiff, there is oral rental agreement between the plaintiff and the defendants. He paid the rent without any default and therefore, he should be evicted as per due process of law. But the defendants have filed their written statement by denying the possession of the plaintiff in the property and also denying the oral agreement.



4.Considering the above facts, the petitioner cannot seek permission to deposit the rent, without proving the oral rental agreement between the parties. Therefore, the trial Court has rightly dismissed the petitions filed by the petitioner and this Court finds no ground to interfere with the orders passed by the Court below.

5.Accordingly, these Civil Revision Petitions were stands dismissed. The Fair and Decreetal Orders dated 25.03.2022 in I.A. No. 16 of 2022 and I.A.No.17 of 2022 in O.S. No. 102 of 2021 passed by the learned District Munsif, Keeranur, Pudukkottai District are confirmed. No costs.

Sd/-

Assistant Registrar(C.O)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

- 1.The District Munsif, Keeranur,
Pudukkottai District.
- 2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.(2 Copies)

COMMON ORDER IN
C.R.P (PD) (MD) .Nos. 956 and 957 of 2022
Date:26.04.2022

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