



C.R.P (MD) No.1086 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 14.09.2022

CORAM:

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

CRP (MD) No.1086 of 2021

and

CMP (MD) No.6289 of 2021

N.Arunachalam

... Petitioner

Vs

1.Arputhamery

2.Annathai

... Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 16.03.2021 passed in RCA No.20 of 2019 on the file of the Rent Control Appellate Authority (Principal Sub Court), Tirunelveli confirming the fair and decreetal order dated 16.08.2019 passed in RCOP.NO.27 of 2013 on the file of the Rent Controller / District Munsif, Tirunelveli.

For Petitioner : Mr.D.Venkatesh



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ORDER

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This civil revision petition is filed as against the fair and decreetal order dated 16.03.2021 passed in RCA No.20 of 2019 by the Rent Control Appellate Authority/ The Principal Sub Judge, Tirunelveli confirming the fair and decreetal order dated 16.08.2019 passed in RCOP.NO.27 of 2013 on the file of the Rent Controller / the District Munsif, Tirunelveli.

2.The respondent / landlord filed a petition in RCOP.No.27 of 2013 before the Rent Controller for eviction of the petitioner/ tenant on the ground of non-payment of rent. The Rent Controller by order dated 16.08.2019 allowed the petition by directing the petitioner / tenant to vacate the premises and to hand over the possession within a period of thirty days from thereon. Aggrieved over the same, the petitioner filed an appeal in RCA.No.20 of 2019 before the Rent Control Appellate Authority and the appeal was dismissed by order dated 16.05.2021. Challenging the same, the petitioner/ tenant has filed this Civil Revision Petition.



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3.This Court is not inclined to entertain this civil revision petition on the grounds raised in support of this petition. However, the learned Counsel for the petitioner submits that the petitioner / tenant is running a small provisional shop in the subject property for several years and therefore sought some breathing time to vacate the premises by arranging alternate place. The petitioner has also filed an undertaking affidavit dated 14.09.2022 that he would vacate the premises on or before 15.05.2023.

4.In view of the above request and the affidavit dated 14.09.2022 filed by the petitioner that the petitioner is running a provisional shop in the suit property and therefore to provide him some breathing time, this Revision Revision Petition is disposed of with a direction to the petitioner to hand over the premises on or before 15.05.2023 as undertook by him to the respondent. No costs. Consequently connected miscellaneous petition stands closed.



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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,
Tirunelveli.
- 2.The Rent Controller /
The District Munsif,
Tirunelveli.



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B.PUGALENDHI, J.

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