

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 30.08.2022

CORAM:

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

CRP (MD) No.1708 of 2022

and

CMP (MD) No.7514 of 2022

A.Sivasubramanian

Vs

... Petitioner

A.Murugan

... Respondent

PRAYER: Civil Revision Petition is filed under Section 25 of the Tamil Nadu (Buildings Lease and Rent Control) Act, 1960 to set aside the judgment and decree dated 12.04.2022 made in RCA.No.2 of 2018 on the file of the Rent Control Appellate Authority / Subordinate Judge, Uthamapalyam by confirming the judgment and decree dated 01.07.2017 in RCOP No.2 of 2015 on the file of the Rent Controller/ District Munsif, Uthamapalayam and allow the civil revision petition.

For Petitioner : Mr.P.Arun Jayatram

For Respondent : No representation

ORDER

This civil revision petition is filed as against the judgment and decree dated 12.04.2022 passed in RCA.No.2 of 2018 by the Rent Control Appellate Authority / Subordinate Judge, Uthamapalyam by confirming the judgment and decree dated 01.07.2017 in RCOP No.2 of 2015 on the file of the Rent Controller / District Munsif, Uthamapalayam.

2.The respondent / landlord filed a petition in RCOP.No.2 of 2015 under Sections 10(2)(i) and (vi) of the Tamil Nadu (Buildings Lease and Rent Control) Act, 1960 before the Rent Controller for eviction of the petitioner/tenant for wilful default in payment of rent and for non-use. The Rent Controller by order dated 01.07.2017 allowed the petition by directing the petitioner / tenant to vacate the premises and to hand over the possession within a period of one month from thereon. Aggrieved over the same, the petitioner filed an appeal in RCA.No.2 of 2018 before the Rent Control Appellate Authority and the appeal was dismissed by order dated 12.04.2022. Challenging

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

3.When this petition was taken up for hearing on the last occasion this Court was not inclined to entertain this civil revision petition. However on the request of the petitioner it was adjourned. Today the petitioner has filed an undertaking affidavit dated 29.08.2022 that he would vacate the premises on or before 01.03.2023 and to pay the arrears of rent within a period of one month.

4.In view of the above affidavit dated 29.08.2022 filed by the petitioner, this Revision Revision Petition is disposed of with a direction to the petitioner to hand over the premises on or before 01.03.2023 and to pay the arrears of rent within one month as undertook by him to the respondent. No costs. Consequently connected miscellaneous petition stands closed.

5.The affidavit dated 29.08.2022 filed by the

petitioner shall form part of this order.

30.08.2022

To

- 1.The Rent Control Appellate Authority/
Subordinate Judge,
Uthamapalyam.
- 2.The Rent Controller/
District Munsif,
Uthamapalayam.

C.R.P (MD) No.1708 of 2022

B.PUGALENDHI , J.

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