



CRP(MD)No.157 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CRP(MD)No.157 of 2022

Kannan

... Petitioner

versus

Santheeswari

Rep. by her Power Agent

B.Sekar

... Respondent

Civil Revision Petition filed under Section 25 of Tamilnadu Buildings (Lease and Rent Control) Act, 1960, against the order dated 23.08.2021 passed in R.C.A.No.1 of 2021 on the file of Subordinate Court cum Rent Control Appellate Authority, Tirumangalam, reversing the order dated 08.09.2020 passed in R.C.O.P.No.12 of 2015 on the file of the Principal District Munsif Court cum Rent Controller, Tirumangalam.

For Petitioner : Mr.J.Barathan

For Respondent : Mr.M.Thirunavukkarasu

ORDER

This Civil Revision Petition is filed as against the order dated 23.08.2021 passed in R.C.A.No.1 of 2021 by the Rent Control



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Appellate Authority, Tirumangalam.

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2. The petitioner is the landlord and the respondent is the tenant. The petitioner/landlord filed an eviction petition in RCOP No.12 of 2012 before the Rent Controller (Principal District Munsif Court), Tirumangalam, on the ground of willful default, which was allowed by order dated 08.09.2020 and the respondent/tenant was directed to vacate the premises within a period of two months. As against the same, the respondent/tenant filed an appeal in R.C.A.No.1 of 2021 before the Rent Control Appellate Authority (Sub Court), Tirumangalam and the Appellate Authority reversed the finding by allowing the appeal. Aggrieved over that the landlord has preferred this Civil Revision Petition.

3. Pending this Civil Revision Petition, the respondent/tenant has come forward with a proposal that she may be granted 12 months time to find out an alternative place, for which, the petitioner/landlord has



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also conceded. Based on the understanding arrived at between the parties, the respondent/tenant filed an undertaking affidavit that she will vacate the premises on or before 30.11.2023.

4. In view of the undertaking affidavit filed by the respondent/tenant, this Civil Revision Petition is disposed of with a direction to the respondent/tenant to vacate the premises and to hand over the possession to the petitioner/landlord on or before 30.11.2023. The respondent/tenant is liable to pay the rent for the extended period without any default. In the event of any default in payment of rent, the period of time granted to the respondent automatically will get lapsed and no further concession would be provided. The undertaking affidavit shall form part of the order. No costs.

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Index : Yes / No.

Internet : Yes / No.

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1. The Subordinate Court
Tirumangalam.
2. The Principal District Munsif Court
Tirumangalam.
3. The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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