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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Friday, the Eighth day of April Two Thousand
and Twenty Two

PRESENT

The Hon`ble Mr.Justice R.VIJAYAKUMAR

CMP (MD)No.11239 of 2018
in
CRP (MD)No.2205 of 2018

S.Mahalingam

... Petitioner/Petitioner

Vs

Bazia Banu

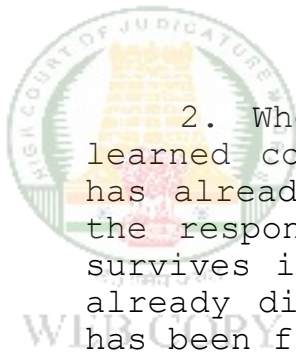
... Respondent/Respondent

Prayer in CMP(MD)No.11239 of 2018 :- Civil Miscellaneous Petition filed under Order 9 Rule 9 of C.P.C., to set aside the order passed by this Hon'ble Court dated 30.10.2018 in C.R.P.(MD)No.2205 of 2018 that was dismissed for default and restore the same and thus render justice.

Prayer in CRP(MD)No.2205 of 2018:- Civil Revision Petition is filed under Section 115 of the Code of Civil Procedure praying to set aside the petition and order dated 07.09.2018 made in E.P.No.104 of 2009 in R.C.O.P.No.8 of 2002 on the file of the Rent Controller-cum-Principal District Munsif Cort, Kumbakonam, Thanjavur District.

ORDER:- This Civil Revision Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.G.Gomathi Sankar, Advocate for the Petitioner, this Court made the following order:-

The respondent in the revision has filed an Rent Control Original Petition for eviction as against the petitioner. The Rent Controller had passed an order of eviction, which was confirmed by the appellate authority as well as by this Court. At the time of confirming the order of eviction, this Court has granted 6 months period to the tenant to vacate the premises. However, the landlord proceeded with the Execution Petition even before the expiry of 6 months period. Hence, the present revision petition has been filed by the tenant.



2. When this revision petition is taken up for hearing, the learned counsel for the petitioner/tenant informs that the tenant has already vacated the premises and handed over the possession to the respondent landlord and the same is recorded. Hence, nothing survives in the civil revision petition. This revision petition was already dismissed for default on 30.10.2018. This present petition has been filed to restore the said revision petition.

3. In view of the above said facts, the revision need not be restored and the application to restore the revision petition is dismissed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TO
The Rent Controller-cum-
Principal District Munsif,
Kumbakonam,
Thanjavur District.

Copy to:

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC to M/s.G.Gomathi Sankar, Advocate, SR.No.17572

ORDER DATED : 08/04/2022

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ORDER

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CMP (MD) No.11239 of 2018

in

CRP (MD) No.2205 of 2018

Giving direction and etc.
as stated within.