



CRP (MD) No.2171 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **23.11.2022**

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C O R A M

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

**CRP (MD) No.2171 of 2022 and
CMP (MD) No.10086 of 2022**

V.Abdul Aziz

... Petitioner

Vs.

P.Sankaralingam

... Respondent

PRAYER: Civil Revision Petition is filed under Section 25 of the Tamil Nadu Buildings Lease and Rent Control Act, to set aside the fair and decreetal order passed in RCA No.3 of 2021 on the file of the Rent Control Appellate Authority (Principal Sub Court), Tirunelveli dated 01.07.2022 confirming the fair and decreetal order passed in RCOP.No.41 of 2017 on the file of the Principal Rent Controller, Principal District Munsif Court, Tirunelveli dated 05.12.2020.

For Appellant : Mr.D.Nallathambi

ORDER

This civil revision petition is filed as against the fair and decreetal order passed in RCA No.3 of 2021 by the Rent Control Appellate Authority, Tirunelveli dated 01.07.2022 confirming the fair and decreetal order passed



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in RCOP.No.41 of 2017 by the Principal Rent Controller,
Tirunelveli dated 05.12.2020.

2.Though the learned counsel for the petitioner has raised several grounds in support of his contention, this Court is not inclined to entertain this civil revision petition on the grounds raised by the petitioner. However, the learned Counsel for the petitioner submits that the petitioner is running a tiffin stall in the said property and it is the only source of income for him. However he is ready to vacate the premises if a reasonable time is provided to him to find a suitable alternate place. Further, the petitioner has also filed an affidavit dated 09.11.2022 that he would vacate the premises by 23.05.2023.

3.Considering the plea that the petitioner is running a hotel and he needs some time to vacate the suit property by finding another suitable place and also in view of the undertaking affidavit filed by him, this Court grants time till 23.05.2023 to the petitioner to hand over the possession to the respondent and failing which, the respondent is at liberty to initiate contempt



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proceedings.

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4.The undertaking affidavit filed by the petitioner shall form part of this order.

5.The Civil Revision Petition is disposed of on the above terms. No costs. Consequently connected miscellaneous petition stands closed.

23.11.2022

dsk

To

1.The Rent Control Appellate Authority /
Principal Sub Judge,
Tirunelveli.

2.The Principal Rent Controller,
Principal District Munsif,
Tirunelveli.

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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JUDGMENT MADE IN

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