



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2022

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P(MD)No.2231 of 2017

and

C.M.P(MD)No.10910 of 2017

Bharat Sanchar Nigam Limited,
Represented by its Assistant General Manager(EP),
O/o. PGM, BSNL,
Tiruchirapalli.

... Petitioner/
Petitioner/Respondent

Vs.

S.Thenmozhi

... Respondent/
Respondent/Petitioner

PRAYER : Civil Revision Petition is filed under Article 227 of Constitution of India against the fair and decretal order, dated, 18.09.2017 in I.A.No.109 of 2017 in R.C.O.P.No.192 of 2017 on the file of III Additional District Munsif Court, Trichy.

For Petitioner : Mr.K.Govindarajan

For Respondent : Mr.R.Sundar

ORDER

The respondent in R.C.O.P.No.192 of 2014 on the file of the III Additional District Munsif Court, Tiruchirappalli is the revision petitioner.

2. The respondent in the revision as landlord has filed R.C.O.P.No.192 of 2014 for evicting the tenant on various grounds. Pending the said application, the tenant filed I.A.No.109 of 2017, contending that the Rent Control Act has not been extended to the village, in which, the petition mentioned property is located. Hence, the tenant contended that the present application for eviction under the Rent Control Act is not maintainable. The learned Rent Controller after considering the arguments of both the parties, had arrived at a conclusion that the petition mentioned property is located at Gundur village, which is the town Panchayat and the Act



is extended to the said town panchayat. Based upon the said findings, the application was dismissed. The said order is under challenge in the revision petition.

3. The learned counsel for the petitioner contended that the landlord has not produced any document to show that the petition mentioned property is located in an area, which is covered under a Rent Control Act. However, the learned counsel for the respondent/landlord has contended that the said Gundur village has now been brought within the ambit of Trichirappalli Municipal Corporation, for which, the Rent Control Act is applicable. In view of the fact that the village in dispute has already been brought within the limits of the Trichirappalli Corporation, the Rent Control Act is certainly applicable.

4. Accordingly, this Civil Revision Petition is dismissed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(RTI)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The III Additional District Munsif Court,
Trichy.

2.The Record Keeper,Vernacular Section,

Madurai Bench of Madras High Court, Madurai.(2 copies)

+1 CC to M/s.R.SUNDAR, Advocate (SR-20813[F] dated 25/04/2022)

Order made in

C.R.P (MD)No.2231 of 2017

22.04.2022

KMV (CO)

TR(07.06.2022) 2P 5C

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