



C.R.P.No.717 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.01.2023

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

C.R.P.No.717 of 2020
C.M.P. No.3713 of 2020

Kanaka Gajendran

... Petitioner

Vs.

G.Khusal Chand Jain

... Respondent

Civil Revision Petition is filed under Article 227 of Civil Procedure Code to set aside the fair and decreetal orders passed in R.C.A.No.8 of 2017 dated 13.11.2019 on the file of the Rent Control Appellate Authority (Principal Subordinate Judge) Mayiladuthurai in confirming the fair and decreetal order passed in R.C.O.P.No.4 of 2012 dated 12.07.2017 on the file of the Rent Controller (District Munsif) Sirkali and dismiss the RCOP by allowing this CRP.

For Petitioner : Mr.A.Muthukumar

For Respondent : Mr.B.K.Srenivasan



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ORDER

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The present Civil Revision Petition has been filed to set aside the fair and decreetal orders passed in R.C.A.No.8 of 2017 dated 13.11.2019 on the file of the Rent Control Appellate Authority (Principal Subordinate Judge), Mayiladuthurai in confirming the fair and decreetal order passed in R.C.O.P.No.4 of 2012 dated 12.07.2017 on the file of the Rent Controller (District Munsif), Sirkali and dismiss the RCOP by allowing the present Petition.

2. It is submitted by the learned counsel for the respondent that a memo dated 26.10.2022 was filed indicating that the sole respondent died on 01.05.2022. Further, in the said memo, legal heirs of the respondent were shown along with the legal heirship certificate. That apart, the said memo has been received by the learned counsel for the petitioner as early as on 26.10.2022, however, no steps have been taken to bring them on record.

3. In reply, the learned counsel for the petitioner pleaded to dismiss the present Civil Revision Petition 'as abated'.



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Considering the submissions on both sides and the fact that the respondent died on 01.05.2022, the present Civil Revision Petition is 'dismissed as abated' and the parties shall proceed as per law. Connected miscellaneous petition is closed. No costs.

02.01.2023

Index : Yes/No
Internet : Yes/No
Speaking /Non-Speaking Order

ssd



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V.BHAVANI SUBBAROYAN, J.,

ssd

To

1. The Principal Subordinate Judge,
Mayiladuthurai
2. The District Munsif,
Sirkali

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