



C.R.P(PD).No.3996 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.09.2023

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

C.R.P(PD).No.3996 of 2019 &
C.M.P.No.26290 of 2019

M/s.Micro Inks Limited,
Subsequently the name has been changed
to Huber Group India Private Limited,
Rep. By its Director, S.J.Angne,
Old Door No.22, New Door No.42,
Bhagirathiammal Street,
T.Street,
Chennai – 600 017.
And having its Head Office at
Plot No.808/E,
Phase-II, GIDC Vapi – 396 191,
Gujarat .. Petitioner

vs

1.S.Rampprasadh
2.S.Shivpprasadh .. Respondents

Petition filed under Article 227 of the Constitution of India
against the order dated 28.02.2019 passed in M.P.No.298 of 2018 in
R.C.O.P.No.681 of 2014, on the file of the XII Judge, Small Causes
Court at Chennai

For Petitioner : Ms.Vasudha Thiagarajan



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ORDER

This revision arises against an order passed in MP.No.298 of 2018 in RCOP.No.681 of 2014.

2. RCOP.No.681 of 2014 is a petition filed for fair rent. The first respondent had taken out the petition as against the civil revision petitioner. He impleaded his brother as the second respondent to the RCOP. The petitioner in the RCOP and the second respondent are siblings and they are the land owners. Pending the litigation, M.P.No.298 of 2018 has been filed seeking permission to surrender the vacant possession of the premises to the respondents on the date fixed by the Court. The said application was resisted on the ground that it is a fair rent proceeding and in such a proceeding, the question of surrender of possession does not arise. All these secret arrangements between the petitioner and the second respondent are not binding on the first respondent.

3. The trial court agreed to the said objection and dismissed the petition, against which, the present revision.



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4. Ms.Vasudha Thiagarajan, learned counsel appearing for the petitioner would submit that RCOP No.681 of 2014 was ordered on 05.03.2020 for the period from April 2014 till 31.08.2018, when the petitioner surrendered possession to the second respondent / one of the landlords. She would submit that against the RCOP, RCAs. were preferred in RCA.No.111/2020 and RCA.No.116/2020 both on the file of the IXth Court of Small Causes at Chennai. RCA orders too has arrested the date for running of the fair rent with 31.08.2018 i.e., the date on which, the possession had been handed over.

5. RCAs were disposed of on 11.08.2023 fixing the liability ending with the date 31.08.2018. In the light of the above, no further adjudication is required in this revision. Accordingly, this revision is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

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Index:Yes/No



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Speaking order/Non speaking order
Neutral Citation: Yes/No

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To

1. The XII Judge, Small Causes Court at Chennai



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V. LAKSHMINARAYANAN,J.

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