



C.R.P.(NPD)No.2608 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2023

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

C.R.P(NPD)No.2608 of 2019
and CMP.No.17210 of 2019

S.Pachaiyappan

.. Petitioner

VS

S.Govindammal

.. Respondent

Petition filed under Section 25 of the Tamil Nadu Building (Lease and Rent Control) Act against the order and decree dated 11.03.2019 passed in M.P.No.278 of 2017 in R.C.A.No.189 of 2017 on the file of the VII Judge, Court of Small Causes at Chennai.

For Petitioner : Mr.K.Mahendran

ORDER

Learned counsel appearing for the petitioner states that pending the revision, the arguments in RCA.No.189 of 2017 were heard by the VII Court of Small Causes, Chennai and it is posted for orders on 02.08.2023.



C.R.P.(NPD)No.2608 of 2019

V. LAKSHMINARAYANAN,J.

2.Apart from that, MP.No.278 of 2017 is an application to deposit

the rent of Rs.1,700/- per month till the disposal of the appeal. The learned trial Judge has stated that the main RCA itself has been filed on the ground that the petition before the Rent Controller in RCOP.No.732 of 2005 itself was for depositing the rent and therefore, the interim relief and the main relief cannot be one and the same.

3.The reason given by the learned Judge is correct. Interim relief and the main relief cannot be one and the same. Therefore, apart from the submission made on the fact that the RCA is posted for orders on 02.08.2023, even on merits, I am not convinced. This civil revision petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

01.08.2023

Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation:Yes/No

vs

To

The VII Judge,

Court of Small Causes, Chennai.

**C.R.P(NPD)No.2608 of 2019
and CMP.No.17210 of 2019**