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C.R.P. Nos.3924 & 3932 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2023

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THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

C.R.P.Nos.3924 & 3932 of 2023
and
C.M.P. Nos. 24010 & 24018 of 2023

K. Rajagopalan

... Petitioner in
C.R.P.No.3924/2023

S.Murugan

... Petitioner in
C.R.P.No.3932/2023

Vs

V.Jeyakumar

... Respondent in
both C.R.P.s

PRAYER in C.R.P.No. 3924 of 2023 : Civil Revision Petition is filed under Sec.25 of Tamil Nadu Buildings (Lease and Rent Control) Act, praying to set aside the fair and decretal order dated 20.07.2023 passed in Rent Control Appeal No.1 of 2023 (Old RCA No.18 of 2016) passed by the



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learned Subordinate Judge, Ambattur confirmed the order dated 14.03.2016 passed in RCOP. No.30 of 2011 by the District Munsif cum Rent Controller at Ambattur.

PRAYER in C.R.P.No. 3932 of 2023 : Civil Revision Petition is filed under Sec.25 of Tamil Nadu Buildings (Lease and Rent Control) Act, praying to set aside the fair and decreetal order dated 20.07.2023 passed in Rent Control Appeal No.2 of 2023 (Old RCA No.19 of 2016) passed by the learned Subordinate Judge, Ambattur confirmed the order dated 14.03.2016 passed in RCOP. No.29 of 2011 by the District Munsif cum Rent Controller at Ambattur.

For Petitioner in
both C.R.P.s : Mr.S.P.Babu

COMMON ORDER

Challenging the impugned fair and decreetal orders passed in R.C.A.Nos.1 and 2 of 2023 (Old R.C.A.Nos. 18 and 19 of 2016) passed by the learned Subordinate Judge, Ambattur confirming the orders passed in



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RCOP. Nos. 29 and 30 of 2011, the revision petitioners/tenants preferred these Civil Revision Petitions.

2. Since the relief claimed challenging the impugned orders passed by the trial judge, notice to the respondent is dispensed with.

3. On perusal of records, it reveals that before the trial court, the respondent/landlord filed Rent Control Original Petitions seeking for the relief of eviction against the Revision Petitioners/tenants on the ground of demolition and reconstruction. On receipt of notice, the Revision Petitioners/tenants appeared and adduced their evidence. Considering both side submissions, the learned Rent Controller as well as Rent Control Appellate Authority found that the petition premises is aged more than 20 years, which requires demolition and in the petition premises, the tenants are running tea stall and tailoring shop respectively. Furthermore, the adjacent property was already demolished. So, both shops under occupation of Revision Petitioners are liable to be demolished. Thus, both the courts below rightly appreciated the pleadings raised by the respondent/landlord,



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as such is justifiable one, which needs no interference. Hence, I do not find any merit in these Civil Revision Petitions. Accordingly, these Civil Revision Petitions are dismissed. However, the Revision Petitioners are directed to vacate the premises within a period of three months from the date of receipt of copy of this order. No costs. Consequently, the connected Civil Miscellaneous Petitions are closed.

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Index : Yes/No

Speaking Order : Yes/No

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To

Sub-Judge,
Ambattur.



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T.V.THAMILSELVI, J.

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