



WEB COPY



CRP No.3850 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2023

CORAM :

THE HONOURABLE MRS. JUSTICE T.V. THAMILSELVI

Civil Revision Petition Nos.3848 & 3850 of 2023

and

C.M.P. Nos.23807 & 23803 of 2023

P.Elango

... Petitioner in both CRPs

Versus

T.Ramamani

...Respondent in both CRPs

Prayer in CRP.No.3848 of 2023: Civil Revision Petitions filed Under Article 227 of Constitution of India, praying to set aside the Impugned order and decree dated 28.04.2023 passed in RCA No.390 of 2019 on the file of the Learned IX Small Causes Court, Chennai (Rent Control Appellate Authority) confirm the order and decree passed in RCOP.No.662 of 2015, dated 08.08.2019 on the file of XVI Small Causes Court, Chennai.

Prayer in CRP.No.3850 of 2023: Civil Revision Petitions filed Under Article 227 of Constitution of India, praying to set aside the Impugned order and decree dated 28.04.2023 passed in RCA No.391 of 2019 on the file of the



CRP No.3850 of 2023

Learned IX Small Causes Court, Chennai (Rent Control Appellate Authority) confirm the order and decree passed in RCOP.No.659 of 2015, dated 08.08.2019 on the file of XVI Small Causes Court, Chennai.

For Petitioner in both CRPs : Mr.N.Nithianandam

For Respondent in both CRPs : Mr.V.Sivakumar

ORDER

The petitioner has filed these revision petitions to set aside the Impugned order and decree dated 28.04.2023 passed in RCA Nos.390 & 391 of 2019 respectively, on the file of the Learned IX Small Causes Court, Chennai (Rent Control Appellate Authority) Decreetal order passed in RCOP.Nos.662 & 659 of 2015 respectively, dated 08.08.2019 on the file of XVI Small Causes Court, Chennai.

2. Heard Mr.N.Nithianandam, learned counsel for the petitioner and Mr.V.Sivakumar, learned counsel appearing for the respondent and perused the materials available in the record.

3. Today, when the matter is taken up for hearing, the learned counsel for the revision petitioner filed an undertaking affidavit, stating that the



petitioner has established business in the said property in the year 2007 and continuing as on today by obtaining various business loans, which are currently subsisting and no other means to repay the business loans and also brought out various items of properties are installed and kept in the said property, for the dislocation and disposal of the said property and shifting of the business, he is seeking time for one year to vacate the premises.

4. The learned counsel for the respondent / landlord submitted that already the petitioner has committed wilful default in payment of rent, which comes around more than crores. Therefore, he raised objection for granting time as prayed by the revision petitioner.

5. Considering the above submissions and also the fact that there is a huge amount of arrears of rent is already pending and now the petitioner is running a business in the premises in question, this Court is inclined to grant five months time to the petitioner to vacate the premises. The petitioner is also directed to pay the monthly rent of Rs.40,000/-, in each of the petitions every month, without default, till the handing over of the premises. If the petitioner fails to vacate the premises within five months from the date of receipt of a copy of this order, the land lord is entitled to approach the Executing Court in



CRP No.3850 of 2023

the manner known to law.

WEB COPY

T.V.THAMILSELVI, J.

rri

6. With the above direction, this Civil Revision Petition is disposed of. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

22.11.2023

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

rri

To

1. The Learned IX Small Causes Court, Chennai,
(Rent Control Appellate Authority).
2. The Learned XVI Small Causes Court, Chennai.
3. The Section Officer,
VR-Section, High Court of Madras.

Civil Revision Petition No.3848 & 3850 of 2023
and



WEB COPY



CRP No.3850 of 2023

C.M.P. Nos.23807 & 23803 of 2023