



CRP(NPD)(MD)No.589 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CRP(NPD)(MD)No.589 of 2020

and

CMP(MD)No.3741 of 2020

N.M.P.Gunasekaran

... Petitioner

versus

Madurai Mugavai District Reddy
Mahajana Sangam,
Through its Secretary,
Mr.Ramanathan,
S/o. Arunachala Reddiar,
No.52, G.S.T. Road,
Thirupparankundram,
Madurai.

... Respondent

Civil Revision Petition filed under Section 25 of the Tamil Nadu Buildings (Lease and Rent Control) Act, 1960, against the fair and decreetal order dated 04.10.2019 made in R.C.A.No.51 of 2014 on the file of the Rent Control Appellate Authority (Principal Sub Court), Madurai, confirming the order dated 10.04.2014 passed in R.C.O.P.No. 103 of 2004 by the Additional Rent Controller (Additional District



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Munsif), Madurai Town.

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For Petitioner : Mr.C.Vakeeswaran

For Respondent : No appearance

ORDER

The petitioner herein is the tenant and the respondent herein is the landlord. The respondent herein filed an eviction petition in R.C.O.P.No.103 of 2004 before the Additional Rent Controller (Additional District Munsif), Madurai, on the ground of willful default and also for demolition and reconstruction of the petition mentioned property. The said petition was allowed by order dated 10.04.2014. Challenging the same, the petitioner/tenant filed an appeal in R.C.A.No.51 of 2014 before the Rent Control Appellate Authority (Principal Sub Court), Madurai. The Rent Control Appellate Authority, by order dated 04.10.2019, dismissed the appeal, by confirming the order dated 10.04.2014 passed by the Additional Rent Controller, Madurai. Aggrieved over the same, the petitioner/tenant is



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before this Court.

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2. Today, when the Civil Revision Petition is taken up for hearing, the learned counsel appearing for the petitioner submits that the petitioner is running a Bakery Shop in the petition mentioned property for a long time and therefore, he requires eight months' time to find out an alternate place to shift his shop and to vacate the premises and handover the possession to the respondent/landlord. The petitioner has also filed an undertaking affidavit that he will vacate the premises within eight (8) months.

3. Though this Court is not inclined to entertain the Civil Revision Petition on the grounds raised therein, considering the request made by the petitioner that since he is running a Bakery shop in the petition mentioned property, he requires eight months' time to find out an alternate place to shift his shop and to vacate the premises, this Court is inclined to grant eight months' time to vacate the premises and



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hand over the possession to the respondent/landlord.

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4. Accordingly, the Civil Revision Petition is disposed of with a direction to the petitioner/tenant to vacate the premises and hand over the possession to the respondent/landlord, within a period of eight months from today, i.e. on or before 08.10.2023, failing which, the petitioner will be held guilty of contempt. The petitioner shall pay the rent to the landlord till the date of vacating the premises without any default. No costs. Consequently, connected miscellaneous petition is closed.

09.02.2023

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.



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To

1. The Principal Sub Court,
Madurai.
2. The Additional District Munsif,
Madurai Town.
3. The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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