



CRP (MD) No. 93 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 07.02.2023

CORAM:

THE HONOURABLE MR. JUSTICE B. PUGALENDHI

**CRP (MD) No. 93 of 2023
and
CMP (MD) No. 456 of 2023**

D. Shanmugam ... Petitioner
Vs

S. Pushpa ... Respondent

PRAYER: Civil Revision Petition is filed under Section 25 of the Tamil Nadu Buildings (Lease and Rent Control) Act, to set aside the order of the Sub Judge, Lalgudi in RCA No.4 of 2018 dated 01.04.2022 against the order of the Additional District Munsif, Lalgudi in RCOP.No.3 of 2011 dated 11.03.2016.

For petitioner : Mr.S.Muthukrishnan
For Respondent : Mr.G.Sethu Surendhar

ORDER

This civil revision petition is filed as against the judgment and decree dated 01.04.2022 passed in RCA.No.4 of 2018 by the Rent Control Appellate Authority /



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Subordinate Judge, Lalgudi by confirming the judgment and decree dated 11.03.2016 in RCOP No.3 of 2011 on the file of the Additional District Munsif, Lalgudi.

2.The respondent / landlord filed a petition in RCOP.No.3 of 2016 under Sections 10(2)(i) and 14 (1)(b) of the Tamil Nadu (Buildings Lease and Rent Control) Act, 1960 before the Rent Controller for eviction of the petitioner/tenant for wilful default in payment of rent and for own use. The Rent Controller by order dated 11.03.2016 allowed the petition by directing the petitioner / tenant to vacate the premises and to hand over the possession within a period of three months from thereon. Aggrieved over the same, the petitioner filed an appeal in RCA.No.4 of 2018 before the Rent Control Appellate Authority and the appeal was dismissed by judgment dated 01.04.2022. Challenging the same, the petitioner / tenant has filed this Civil Revision Petition.

3.When this petition was taken up for hearing on the last occasion this Court was not inclined to entertain this



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civil revision petition. However on the request of the petitioner it was adjourned. Today the petitioner has filed an undertaking affidavit dated 02.02.2023 that the suit premises is a shop and he requires some time to find out suitable alternate place and he would vacate the premises on or before 10.10.2023.

4. In view of the above affidavit dated 02.02.2023 filed by the petitioner that he is running a shop in the suit premises and he requires time to vacate the premises by finding out alternate place, this Revision Revision Petition is disposed of with a direction to the petitioner to hand over the premises on or before 10.10.2023 as undertook by him. No costs. Consequently connected miscellaneous petition stands closed.

5. The affidavit dated 02.02.2023 filed by the petitioner shall form part of this order.

07.02.2023

dsk
To
The Sub Judge,
Lalgudi.



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B. PUGALENDHI, J.

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