



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

WEB COPY

Friday, the Sixth day of October Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CMP(MD) No.12991 of 2023

IN

CRP(MD) No.1665 of 2022

S.MANONMANI

... PETITIONER / PETITIONER

Vs

1 T.RAJKUMAR

2 T.MURUGESAN

... RESPONDENTS / RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to grant one month time to deposit the remaining sum of Rs.89,800/- to the credit of R.L.T.O.P.No.8 of 2020 on the file of the learned Rent Controller (I Additional District Munsif Court), Tirunelveli and pass such further or other orders as this Hon`ble Court may deems fit and proper in the circumstances of the case and thus render justice.

Prayer in CRP(MD). 1665/ 2022 :

Civil Revision petition filed Under Section 115 of Civil Procedure Code, to set aside the fair and decreetal order dated 24-03-2022 passed in I.A.No.3 of 2021 in RLTOP.No.8 of 2020 on the file of Learned Rent Controller(1st Additional District Munsif Court), Tirunelveli.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.A.Mohamed Haneef, Advocate for the petitioner and of Mr.S.Kumar, Advocate on behalf of the Respondents, the court made the following order:-



The above application has been filed seeking orders to grant one month time for depositing the remaining amount of Rs.89,800/- to the credit of R.L.T.O.P.No.8 of 2020 on the file of the I Additional District Munsif Court, Tirunelveli as directed by this Court, vide order dated 13.06.2023.

2. This Court, vide order dated 13.06.2023, directed the petitioner to deposit the admitted rent for the entire period in dispute till 30.06.2023 within a period of four weeks from the date of receipt of copy of that order and subject to such payment of rent and reporting compliance before the I Additional District Munsif Court, Tirunelveli, R.L.T.O.P.No.8 of 2020 shall be taken up for hearing and further directed the District Munsif to dispose of the case within a period of two months thereafter.

3. When the matter is taken up for hearing today, the learned counsel appearing for the petitioner would submit that the petitioner has paid Rs.2,51,800/- out of Rs.3,41,600/-, which was the arrears amount pending as on 30.06.2023 and the petitioner was unable to pay the balance amount within the time stipulated.

4. The learned counsel appearing for the respondents would submit that the

Executing Court, after hearing the argument of the decree holder, posted the matter

<https://www.mhc.tn.gov.in/judis>



for orders tomorrow (07.10.2023). He would further submit that the petitioner has to pay the remaining arrears amount pending as of now.

5. At this juncture, the learned counsel appearing for the petitioner would submit that upto 06.10.2023, the arrears amount comes to Rs.1,14,200/- and the petitioner is ready to deposit the remaining arrears amount pending as of now.

6. Considering the above facts and circumstances, this Court is inclined to grant time till 10.10.2023 to deposit the amount. The petitioner is permitted to deposit the amount as directed by this Court along with the subsequent arrears on or before 10.10.2023. The Executing Court is directed not to pass orders till 10.10.2023. Accordingly, this Civil Miscellaneous Petition is ordered.

sd/-
06/10/2023

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06/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



THE I ADDITIONAL DISTRICT MUNSIF,
TIRUNELVELI.

THE SECTION OFFICER,
VR SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI. (2 Copies)

COPY TO:
THE REGISTRAR(JUDICIAL),
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CMP(MD) No.12991 of 2023
IN
CRP(MD) No.1665 of 2022
Date :06/10/2023

MK/06.10.2023 4P 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023