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S.A. No. 1073 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2024

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THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

S.A. No.1073 of 2010

and

M.P.No. 1 of 2010

A.Devan

... Appellant

Versus

1. The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Park Town, Chennai-3.

2. The Revenue Officer,
Corporation of Chennai,
Rippon Buildings,
Park Town, Chennai-3.

... Respondents

Prayer:- Second Appeal has been filed under Section 100 C.P.C., against the judgment and decree dated 31.12.2009 made in A.S.No.643 of 2007, on the file of Addl. District and Sessions Judge, Fast Track Court No.IV, Chennai confirming the judgment and decree dated 25.07.2007 made in O.S.No.2789 of 2002 on the file of XII Asst. City Civil Judge, Chennai.



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For Appellant : Mr.K.Thangavelu
For Respondents : Mr.N.Vijaya Baskar
for M/s. Law Vision

JUDGEMENT

Today, when the matter taken up for hearing, the learned counsel for Appellant appeared and submitted that since the appellant is 100% of blind man, the Members of Ward Councillors in Zone-10 in an Ordinary Committee Meeting held on 28.07.2023 passed a resolution No.405 of 2023 and he was allotted with a Shop No.3 at Ground floor of Commercial Complex, North Usman Road, T.Nagar, Chennai by refixing the rent of Rs.7776/- per month from April 2023. Provided, he has already paid the rent, which was adjusted, however, there is an excessive rent and the same was also accepted by the learned counsel for Corporation. So, the existing rent is directed to be adjusted for future monthly rent upto May 2025.



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2. On perusal of records, it reveals that the appellant already paid a lumpsum amount of Rs.10,91,536/- towards rent upto 2023 during the pendency of appeal. But, after the resolution passed, the new rent was fixed, which was paid by the appellant as excessive and so, the same can be adjusted as future monthly rent upto May 2025. However, the appellant is directed to pay the monthly rent regularly as fixed by the Corporation of Chennai based on the resolution passed on 28.07.2023 on hearing this appellant also. Accordingly, as nothing survives for further adjudication in this appeal, this Second Appeal is disposed of. The resolution No.405 of 2023 dated 28.07.2023 passed by the respondents Corporation shall form part and parcel of this judgment. Consequently, the connected Miscellaneous Petition is closed. No costs.

27.09.2024

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To
Addl. District and Sessions Judge,
Fast Track Court No.IV,
Chennai.

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T.V.THAMILSELVI, J.

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