



C.R.P.PD.No.1175 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.09.2024

CORAM:

THE HONOURABLE MRS. JUSTICE R.KALAIMATHI

C.R.P.PD.No.1175 of 2023

and

C.M.P.No.8115 of 2023

Archdiocese of Madras-Mylapore Society,
Represented by its Director and
Financial Administrator of
the Catholic Centre and the Power Agent,
Fr.A.L.John Britto,
Having Office at Catholic Centre,
No.64/108, Armenian Street,
Chennai-600 001. ... Petitioner/Plaintiff

Vs.

Mr.P.Mohanakrishnan
S/o.P.Shankaran,
Proprietor of M/s.Tea Stall and Snack Bar,
Catholic Centre, No.108,
(Old No.64), Armenian Street,
Chennai-600 001. ... Respondent / Defendant

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the order in I.A.No.03 of 2022 in O.S.No.1719 of 2022 dated 24.01.2023 on the file of the VII Assistant City Civil Judge, Chennai.



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For Petitioners : Mrs.C.Auxilia

For Respondents : Mr.M.L.Joseph
for M/s.Chennai Law Associates

ORDER

This Civil Revision Petition is preferred by the respondent/plaintiff against the order dated 24.01.2023 made in I.A.No.3 of 2022 in O.S.No.1719 of 2022 on the file of the VII Assistant City Civil Court, Chennai.

2. The respondent/plaintiff has filed a suit in O.S.No.1719 of 2022 against the respondent E.Mohanakrishnan for the relief to direct the defendant to vacate and hand over the vacant portion of the suit property and for other reliefs.

3. Meanwhile, the defendant who is a lawful tenant of the plaintiff filed an application in I.A.No.3 of 2022 under Section 151 CPC to direct the respondent to restore the water supply to the suit schedule property.

4. For which, the respondent/revision petitioner raised an objection



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that the allegation that the water supply to the schedule mentioned portion was intentionally cut of by the respondent is false. Therefore, it can be presumed that there was water supply to the petitioner was cut of in the schedule mentioned property. The shop portion is situate in the basement of the building. Water supply is one of the basic amenity and the respondent who is a tenant is entitled for the same. The respondent is stated to run a tea stall in the suit schedule property. Therefore, in the given circumstances, the trial Court has ordered for restoration of water supply to the suit schedule property.

5. In the given circumstances, I do not find any infirmity or perversity in the said order. Based on the above said discussions and observations, this Civil Revision Petition stands dismissed. There is no order as to costs. The trial Court shall dispose of the case preferably within a period of nine (9) months from the date of receipt of copy of this order. Consequently, connected civil miscellaneous petition is closed.

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Index : Yes / No
Neutral Citation Case : Yes / No



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Speaking Order / Non-Speaking Order
ssn

To

The VII Assistant City Civil Judge,
Chennai.

R.KALAIMATHI, J.,

ssn

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