



C.R.P.No.2209 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2024

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

C.R.P.No.2209 of 2024 and
C.M.P.No.11694 of 2024

K.Babulal

... Petitioner

Vs.

S.Rajamanickam

... Respondent

PRAYER: Civil Revision Petition filed under Section 25 of the Tamil Nadu Buildings (Lease & Rent Control) Act, 1960, to set-aside the docket order, dated 20.11.2023 made in um-numbered I.A.No. of 2023 in I.A.No.67 of 2022 in R.C.A.No.11 of 2022 on the file of the Sub-Judge, Poonamallee.

For Petitioner : Mr.V.Ayyappa Raja

For Respondent : Mr.P.Sivamani



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ORDER

The petitioner filed this civil revision petition to set aside the docket order, dated 20.11.2023 in Un-numbered I.A. in I.A.No.67 of 2022 in R.C.A.No.11 of 2022 passed by the learned Subordinate Judge, Poonamallee.

2.This Court by order, dated 21.06.2024 had passed the following order:

“The petition filed this civil revision petition to set aside the docket order dated 20.11.2023 in Un-numbered I.A. in I.A.No.67 of 2022 in R.C.A.No.11 of 2022 on the file of the Sub Court, Poonamallee.

2.The petitioner filed I.A.No.67 of 2022 under Section 23(2) of Tamil Nadu Buildings (Lease and Rent Control) Act, 1960 to stay the execution of the decree dated 14.06.2022 passed in R.C.O.P.No.52 of 2018. The Rent Control Appellate Authority considering that the petitioner suffering an order of eviction in R.C.O.P.No.52 of 2018, paid a sum of Rs.2,80,000/- as on 20.10.2023 and gave undertaking that the petitioner would pay back the arrears on or before 15.11.2023 granted



more than a months time to the petitioner. But the petitioner not complied with the order and filed a petition seeking extension of time which not entertained. Against which, the present petition is filed.

3.The learned counsel for the petitioner submits that the petitioner is ready to clear the arrears and pay the rent to the respondent.

4.The learned counsel for the respondent submitted that as on date the petitioner is due to the tune of Rs.2,85,000/- and if he is ready to pay the amount, the respondent has no serious objection.

5.The learned counsel for the petitioner seeks a weeks time to comply with the condition and pay the arrears of rent to the tune of Rs.2,85,000/-.

6.Post the matter on 28.06.2024.”

3.In continuation and conjunction to the above order, this Court is passing the following order.



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4.Today, the learned counsel for the petitioner produced photostat copy of demand draft, dated 26.06.2024 drawn in favour of respondent for a sum of Rs.2,85,000/- (Rupees two lakh eighty five thousand only). The learned counsel for the respondent received and acknowledged the same. The scanned reproduction of the photostat copy of demand draft is as follows:

Indian Bank		(பாதிக்கப்பட்ட கிளை) (BILUVO BRANCH)		MADURAVOYAL(02621)		26 06 2024	
ON DEMAND PAY S RAJAMANIKAM		Two Lakh Eighty Five Thousand Only		₹ 285000.00		FOR VALUE RECEIVED	
T21/MDDF		App Name: JAJ AMBIKA TEXTILES T21/MDDF473708 SERVICE BRANCH (CHENNAI) 1184		T21/MDDF		473708 0000190000	
Payable at per all branches of Indian Bank		(வரைந்த கிளை) Drawee Branch		Authorized Signatory (S.S.No.)		Authorized Signatory (S.S.No.)	

Amid D.D No: 473708
Date on: 26/06/2024
Coun for Res Pond
03/07/2024
7016598321



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5.Considering the submissions and on perusal of the materials, it is seen that the petitioner is complied with the order of this Court, dated 21.06.2024 and the order, dated 20.10.2023 in I.A.No.67 of 2022 in R.C.A.No.11 of 2022 passed by the learned Subordinate Judge, Poonamallee. As on date, there is no arrears of rent to be paid by the petitioner except rent for the month of June, 2024 and for future months.

6.At this juncture, the learned counsel for the petitioner submits that the petitioner shall pay the rent for the month of June, 2024 and subsequent months without any delay.

7.Since the petitioner complied with the order of this Court, dated 21.06.2024 and the order, dated 20.10.2023 in I.A.No.67 of 2022 in R.C.A.No.11 of 2022 passed by the learned Subordinate Judge, Poonamallee, no extension of time is required and the prayer sought for by the petitioner becomes infructuous.



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8. Accordingly, this civil revision petition stands disposed as infructuous. Consequently, connected civil miscellaneous petition is closed.

No costs.

09.07.2024

Speaking Order/Non Speaking Order

Neutral Citation: Yes/No

Index : Yes/No

Internet : Yes

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To

The Subordinate Judge,
Poonamallee.

Note: Issue Order Copy on 15.07.2024.



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M.NIRMAL KUMAR, J.

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