



C.R.P(MD)No.2563 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.10.2024**

CORAM

THE HON'BLE MRs.JUSTICE S.SRIMATHY

C.R.P(MD)No.2563 of 2024

Palani Mudhaliyar (Died)

1.P.Murugesan

...Petitioners/
Respondents 2 & 3/
Respondents 2 & 3/
2nd Respondent

2.Sethuammal

...Petitioner/Respondent/
Respondent/3rd party

Vs.

1.Tuticorin Nagarather Viduthi Trust,
Through its Hereditary Trustee,
S.Ramasamy Chettiar (Died),
No.9/25, Mookan Asari Lane, Society Street,
Dindigul -624001.

...Respondent/
1st Respondent/
1st Respondent/Petitioner

2.Ramanathan

...Petitioner/Petitioner/
Petitioner/3rd party

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, against the order made in E.A.No.6 of 2024 in E.P.No.27 of 2020 in R.C.O.P.No.25 of 2011 on the file of the Rent



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Control Tribunal, Principal District Munsif Court, Thoothukudi, dated 03.09.2024.

For Petitioners : Mr.V.Angusamy

For Respondents : Mr.M.P.Senthil

ORDER

The present Civil Revision Petition has been filed by the tenants against the order in E.A.No.6 of 2024 in E.P.No.27 of 2020 in R.C.O.P.No.25 of 2011 on the file of the Rent Control Tribunal, Principal District Munsif Court, Thoothukudi, dated 03.09.2024.

2. The revision petitioners are the tenants and the first respondent is the landlord, which is a Trust.

3. The R.C.O.P.No.25 of 2011 was filed for directing the respondents therein to vacate the petition schedule premises and handover vacant possession of the same to the petitioner therein as he requires the same for demolition and reconstruction. The schedule mention building is more than 100 years old. The R.C.O.P. was allowed in favour of the landlord. Against which, the petitioners herein had filed



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R.C.A.No.18 of 2014 and the same was dismissed. Thereafter, C.R.P(MD)No.1116 of 2021 was filed by the petitioners herein, which was also dismissed. Against the civil revision petition, review application was filed and the same was also dismissed. Thereafter, the landlord preferred an execution petition in E.P.No.27 of 2020, in which, E.A.No.6 of 2024 was filed in order to ascertain the service connection and the identification of the property. Thereafter, identification was smoothly done and the property was recovered and delivery warrant executed as per Amin's report. The endorsement was also made and the property was delivered on 27.09.2024, for which, the learned counsel for the respondents produced the daily status uploaded in the website.

4. The learned counsel appearing for the petitioner vehemently contended that the identification was not carried on for which he wants to submit a letter.

5. This Court is of the considered opinion that the Amin has identified the property based on the electricity connection. Therefore, the said plea is rejected.



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6. Therefore, nothing survives for adjudication. The civil revision
petition stands dismissed. No costs.

28.10.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

- 1.The Rent Control Tribunal,
The Principal District Munsif Court,
Thoothukudi.
- 2.The Hereditary Trustee,
Tuticorin Nagarather Viduthi Trust,
S.Ramasamy Chettiar (Died),
No.9/25, Mookan Asari Lane, Society Street,
Dindigul -624001.



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S.SRIMATHY,J.

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