

S.A. Nos.1437, 1438 & 1440 of 1994 and 102 & 63 of 1995

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 24.03.2025

CORAM

THE HONOURABLE MRS. JUSTICE T.V. THAMILSELVI

Second Appeal Nos. 1437, 1438 & 1440 of 1994
and 63 & 102 of 1995

Thondamandala Mudhanmayar Sangam
represented by its Secretary,
Shanmugam
S/o.Ayyathurai Mudhaliar,
Katrambakkam,
Tindivanam Taluk.

... Appellant in 1437, 1438 & 1440 of 1994

Sekar

... Appellant in S.A.No.63 of 1995

Pichamuthu Pillai

...Appellant in S.A.No.102 of 1995

Versus

Padhmavathy Ammal

.. Respondent in S.A.No.1437/1994

Seethalakshmi Ammal (died)

2. Baskaran

3. Chandrasekaran

.. Respondent in S.A.No.1438/1994

(RR2 and 3 brought on record on LRs of the deceased R1 as per order of
Court vide CMP.No.2329/99 to 2334/99, dated 03.03.1999)



S.A. Nos.1437, 1438 & 1440 of 1994 and 102 & 63 of 1995

Pakkirisamy

.. Respondent in S.A.No.1440/1994

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Thondamandala Mudhanmayar Sangam

represented by its Secretary,

Shanmugam

S/o.Ayyathurai Mudhaliar,

Katrambakkam,

Tindivanam Taluk.

.. Respondent in S.A.Nos.63 & 102/1995

PRAYER in S.A.No.1437 of 1994 : Second Appeal filed Under Section 100 of the Civil Procedure Code, against the Judgment and decree in A.S.No.5 of 1994, dated 22.08.1994 on the file of the Subordinate Court, Chidambaram reversing the judgement and decree of the District Munsif Court, Chidambaram in O.S.No.222 / 1989 dated 24.12.1993.

PRAYER in S.A.No.1438 of 1994 : Second Appeal filed Under Section 100 of the Civil Procedure Code, against the Judgment and decree in A.S.No.3 of 1994, dated 22.08.1994 on the file of the Subordinate Court, Chidambaram reversing the judgement and decree of the District Munsif Court, Chidambaram in O.S.No.165 / 1989 dated 24.12.1993.

PRAYER in S.A.No.1440 of 1994 : Second Appeal filed Under Section 100 of the Civil Procedure Code, against the Judgment and decree in A.S.No.2 of 1994, dated 22.08.1994 on the file of the Subordinate Court, Chidambaram reversing the judgement and decree of the District Munsif Court, Chidambaram in O.S.No.164 / 1989 dated 24.12.1993.

PRAYER in S.A.No.63 of 1995 : Second Appeal filed Under Section 100 of the Civil Procedure Code, against the Judgment and decree in A.S.No.4 of 1994, dated 22.08.1994 on the file of the Subordinate Court, Chidambaram confirming the judgement and decree of the District Munsif Court, Chidambaram in O.S.No.208 / 1989 dated 24.12.1993.

PRAYER in S.A.No.102 of 1995 : Second Appeal filed Under Section 100 of the Civil Procedure Code, against the Judgment and decree in A.S.No.6 of 1994, dated 22.08.1994 on the file of the Subordinate Court, Chidambaram confirming the judgement and decree of the District Munsif Court, Chidambaram in O.S.No.415 / 1991 dated 24.12.1993.



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For Appellant in SA.NOs.1437, 1438

& 1440 of 1994

: Ms.V.Srimathi

For Appellant in S.A.Nos.63 & 102/1995

: No appearance

For Respondents in SA.NOs.1437, 1438

& 1440 /1994

: No appearance

For Respondents in S.A.Nos.63 & 102/1995

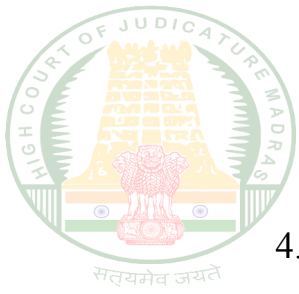
: Ms.V.Srimathi

COMMON JUDGMENT

The appellant in S.A.Nos.1437, 1438 & 1440 of 1994 has preferred the Second Appeals against the judgment and decree in A.S.No.5,3 & 2 of 1994, respectively, dated 22.08.1994, on the file of the Subordinate Court, Chidambaram, reversing the judgement and decree of the District Munsif Court, Chidambaram in O.S.No.222, 165 and 164 of 1989, respectively, dated 24.12.1993.

2. The appellant in S.A.Nos.63 & 102 of 1995 has preferred the Second Appeals against the iudgment and decree in A.S.No.4 and 6 of 1994, respectively, dated 22.08.1994 on the file of the Subordinate Court, Chidambaram, confirming the judgement and decree of the District Munsif Court, Chidambaram in O.S.No.415 of 1991, dated 24.12.1993.

3. For the purpose of convenience, the parties herein are referred to as they were ranked in the suit.



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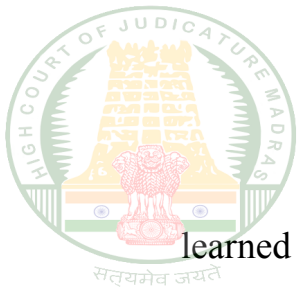
4. Challenging the common judgment rendered by the first appellate

court, both the landlord and the tenants have preferred these appeals. The appellant/landlord has filed S.A. Nos. 1437, 1438, and 1440 of 1994, while the appellants/tenants have filed S.A. Nos. 63 and 102 of 1995. All the appeals have been jointly heard.

5. In S.A. Nos. 1437, 1438, and 1440 of 1994, the appellant, a landlord—Thondamandala Mudhanmayar Sangam, represented by its Secretary, Shanmugam—filed five civil suits (O.S. Nos. 164, 165, 208, 222 of 1989 & 415 of 1991) against five tenants. The landlord sought the eviction of the tenants, directing them to hand over the vacant site along with arrears of rent and damages.

6. All the tenants contested the suits. The trial court, after considering the evidence on record, allowed the suits as prayed for, directing the tenants to remove the superstructures and hand over vacant possession of the property within three months.

7. Challenging the trial court's findings, all five tenants preferred appeals before the Subordinate Court, Chidambaram, in A.S. Nos. 2 to 6 of 1994. These appeals were jointly heard. After hearing both sides, the



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learned first appellate judge allowed A.S. Nos. 2, 3, and 5 of 1994, holding that the tenants were entitled to protection under the City Tenants Protection Act. Consequently, the trial court's judgment in O.S. Nos. 164, 165, and 222 of 1989 was set aside, and those three suits were dismissed.

8. However, in respect of A.S.Nos. 4 and 6 of 1994, the appellate court dismissed the appeals, holding that the tenants were not entitled to protection under the City Tenants Protection Act. Aggrieved by this, the affected tenants preferred second appeals in S.A. Nos. 63 and 102 of 1995.

9. Challenging the findings of the first appellate court, the appellant/landlord raised the following grounds in S.A. Nos. 1437, 1438, and 1440 of 1994:

i. The decision of the lower appellate court is against the law, the weight of the evidence, and the probabilities arising in the case.

ii. The lower appellate court erred in finding that the respondents were entitled to the benefits of the City Tenants Protection Act.

iii. The lower appellate Court did not take into consideration the decision rendered in O.S.No.24 of 1976 in which the right under City Tenants Protection Act was not claimed by the respondent and no application under Section 9 of City Tenant Protection Act was filed by her



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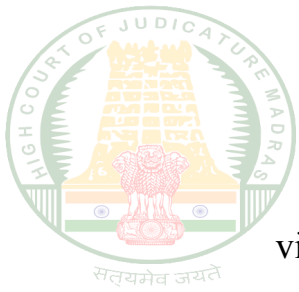
and therefore the tenant is virtually procluded from claiming the benefits of the said enactment even assuming the said right had accrued to her and as the same was not claimed on principle of waiver, the said right cannot be claimed subsequently by the respondent herein now.

iv. The lower appellate Court did not properly consider that the amending Act 2/1980 has no application to the contentions of the respondent herein and as there was no tenancy between the parties, in respect of the site prior to 1955 the respondent was not entitled to the benefits of the Act.

v. The lower appellate Court reliance of certain rulings for the purpose of conferring the benefit to the respondent under the Act is not sustainable.

vi. The lower appellate Court did not take into consideration that the suit in O.S.No.24/76 itself was filed for declaration and recovery of possession and as no application was filed by the respondent within the statutory period of the Act, after receipt of summons, the respondent cannot now claim the benefits of the Act.

vii. The lower appellate Court has failed to consider that the decree and judgment of the trial Court did not call for any interference by the lower appellate Court.



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viii. The lower appellate Court has failed to perceive that the property of the appellant cannot be used for dwelling purposes as the same was dedicated for Nandavanam of the Mutt and therefore even assuming that the respondent was entitled to the benefits of the Act. In view of the nature of property relief under City Tenants protection Act cannot be granted to her.

10. S.A. Nos. 1437, 1438, and 1440 of 1994 were admitted by this Court on 30.11.1994, with the following questions of law:

“ a) Is the lower appellate court correct in holding that the defendant is entitled to the benefits of the City Tenants Protection Act, as amended by Act 2 of 1980?

b) Since the plea of waiver of the benefit of the Act was not projected before the lower court, is the defendant/respondent still entitled to claim benefits under the Act? Therefore, is the decision arrived at by the Court below correct in the eye of law? ”

11. The brief facts of the case. The plaintiff is a registered Sangam named Thondamandala Mudhanmayar Sangam, established for the welfare of its community members. The suit properties, described as vacant sites, absolutely belong to the plaintiff's society, and their right and title over the



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said land were already declared in O.S. No. 24 of 1976. The plaintiff's Sangam filed five suits against five individual tenants, seeking their eviction and the return of the vacant land, along with arrears of rent and damages.

12. In O.S. No. 164 of 1989, the suit property was originally a vacant site handed over to the defendant's father, Ayyavu Padayachi, for a monthly rent of Rs. 9. He constructed a thatched house and resided there until his demise in 1987. After his death, the defendant, Pakkirisamy, became the tenant but failed to pay rent for nearly five years. On 07.07.1987, the plaintiff issued a notice, which was received but not replied to. The original tenant, Ayyavu, having died in 1987, his legal heir, Pakkirisamy, continued to occupy the property without paying rent. The tenancy was terminated on 31-07-1987, and the plaintiff needed the property for the development of the Sangam. Hence, the suit was filed.

13. The defendant, Pakkirisamy, in O.S. No. 164 of 1989, admitted that the vacant land belongs to the plaintiff. He stated that his father became a tenant in 1965 and later constructed a thatched house. Rent was paid until 1984, after which no representative of the plaintiff demanded rent. He claimed entitlement to protection under the City Tenants



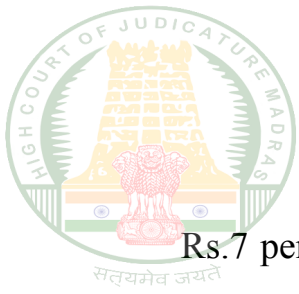
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Protection Act and expressed willingness to purchase the vacant land.

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14. In O.S. No. 165 of 1989, the plaintiff issued a notice to the defendant, Seetha Lakshmi, who had entered into a tenancy agreement for a vacant site at a monthly rent of Rs. 9. She had not paid rent for nearly five years, and the land was required for Sangam activities. A notice was issued on 07.07.1987, but no reply was received. Consequently, the tenancy was terminated on 31.10.1987, and a suit for eviction was filed. The tenant, Seetha Lakshmi, in her written statement, claimed that she had taken the vacant site for rent in 1969 and later constructed a house. Since then, no representative of the plaintiff's Sangam had claimed rent. She asserted her entitlement to protection under the City Tenants Protection Act.

15. In O.S. No. 208 of 1989, the plaintiff's Sangam filed an ejectment suit against the defendant, Segar. Initially, one Arumugam was a tenant of the vacant site. In 1984, Arumugam vacated the premises, and Segar allegedly trespassed and established a workshop without paying rent. A notice was issued on 07.07.1987, but no reply was received. The defendant, Segar, claimed that he had rented the vacant site in 1979 for

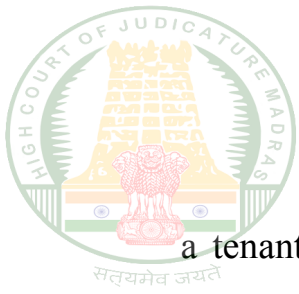


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Rs.7 per month and executed a tenancy agreement. He had paid rent until 1984, after which no one demanded rent. He argued that he was entitled to protection under the City Tenants Protection Act and denied receiving any notice.

16. In O.S. No. 222 of 1989, the plaintiff's Sangam filed a suit against Padhmavathy Ammal, stating that she had entered into a tenancy agreement for a vacant site in 1976. She had paid rent for a certain period but had not paid rent for nearly five years. A notice was issued on 07.07.1987, but no reply was received. Hence, the suit was filed. In her written statement, she claimed that she had entered into tenancy in 1972 for a monthly rent of Rs. 2 and had subsequently constructed a thatched house. She paid rent until 1984, after which no rent was paid. She denied receiving any notice and asserted her entitlement to protection under the City Tenants Protection Act.

17. In O.S. No. 415 of 1991, the plaintiff's Sangam filed an ejectment suit against Pichamuthu Pillai, stating that he had entered into tenancy for a vacant site at a monthly rent of Rs.50 but had subsequently failed to pay rent. A notice was issued, but no reply was received, and the tenancy was terminated. In his statement, he contended that he had become



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a tenant for Rs.5 per month and had later constructed a building. Since then, no representative of the plaintiff's Sangam had claimed rent. He claimed entitlement to protection under the City Tenants Protection Act and prayed for the dismissal of the suit.

18. All five suits were jointly tried by the learned trial judge. Although separate issues were framed, the common issue in all five cases was whether the plaintiff was entitled to the relief sought for?, or whether the defendants/tenants were entitled to protection under the City Tenants Protection Act.

19. Before the trial court, both parties presented oral and documentary evidence. On the plaintiff's side, P.W.1 and P.W.2 were examined, and Exhibits P.1 to P.13 were marked. On the defendant's side, D.W.1 to D.W.5 were examined, and Exhibits B.1 to B.12 were marked.

20. The landlord-tenant relationship between the parties is undisputed. The document relied upon by the Plaintiff/Sangam, marked as Ex.A-1 and equivalent to Ex.B12, pertains to Suit No. 24 of 1976, filed by the said Sangam to appoint a new trustee. In that suit, these defendants were also shown as tenants under the said Sangam. Therefore, the learned



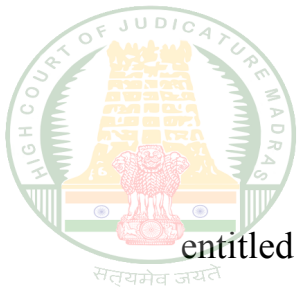
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trial judge observed that even at the time of filing the earlier suit in 1976, these defendants were denoted as tenants under the said Sangam.

21. Furthermore, the learned trial judge observed that the defendants themselves admitted that they had not paid rent, leading to arrears as claimed by the plaintiff. The learned trial judge also noted that no reply was given by the defendants to the notice issued by the plaintiff, as evidenced by the copy of the notice filed in the suit. Upon reviewing the notice, the learned trial judge concluded that the defendants failed to respond despite receiving it.

22. Regarding the applicability of the City Tenants Protection Act, the learned trial judge considered both submissions and held that the suit property is situated within Chidambaram Municipal Town, which was notified as a municipality in 1955. As per the Amended Act of the City Tenants Protection Act, 1955, the beneficial provisions apply only to tenants who had constructed buildings on the demised land before the enactment of the amendment on 10.09.1955, which extended to statutorily notified municipal towns.

23. According to the provisions of the Amended Act of 1955, only tenants who had constructed buildings prior to its commencement were



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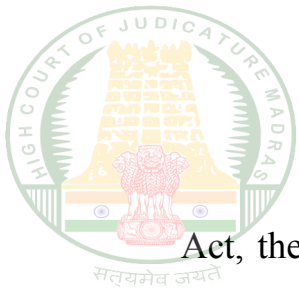
entitled to protection. Since the defendants were deemed tenants of vacant land only after 1955, they were not entitled to protection under the City Tenants Protection Act. Consequently, the learned trial judge ruled in favour of the plaintiff, stating that the plaintiff's Sangam had issued a valid notice with sufficient time for response. However, as the tenants failed to respond, the notices were considered legally valid. Thus, all the suits were allowed, directing the defendants to vacate the premises by removing the superstructures.

24. All the defendants preferred appeals, numbered A.S.Nos. 2 to 6 of 1994. The learned first appellate judge, upon independently analyzing the evidence and facts, framed two key issues:

(i) whether the tenant defendants were entitled to protection under the City Tenants Protection Act, and

(ii) whether the notice issued by the landlord was legally valid.

25. Upon considering the evidence in relation to each tenant, the first appellate judge allowed three appeals in favour of the tenants in A.S.Nos. 2, 3, and 5. The court held that these tenants had entered into tenancy prior to the Amended Act 2 of 1980 of the City Tenants Protection



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Act, thereby entitling them to protection under the Act. Additionally, the notice issued by the landlord was found to be invalid under Section 11 of the City Tenants Protection Act, as a copy was not sent to the Commissioner of Municipality. Accordingly, these appeals were allowed.

26. In contrast, the appeals in A.S. Nos. 4 and 6 of 1994 were dismissed because the defendants failed to prove that they had entered into tenancy before 1977. Under the amendment of 03.03.1980, they needed to establish that they were tenants prior to 1980 to be eligible for protection under the Act, which they failed to do.

27. Considering the findings of the Courts below, the primary issue to be decided is whether the tenants are entitled to protection under Section 9 of the City Tenants Protection Act.

Section 9 of the City Tenants Protection Act states:

"9. Application to Court for directing the landlord to sell land.-

(1)¹[(a) (i)] Any tenant who is entitled to compensation under Section 3 and against whom a suit in ejectment has been instituted or proceeding under Section 41 of the Presidency Small Cause Courts Act, 1882 (Central Act XV of 1882), taken by the landlord may, [within one month of the date of the publication of the Madras City Tenants' Protection (Amendment) Act, 1979 in the Tamil Nadu Government Gazette or of the date with effect from which this Act is



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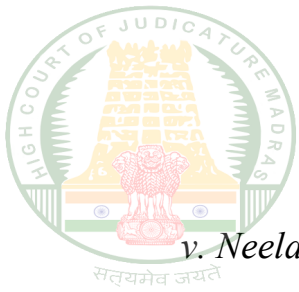
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extended to the municipal town, township or village in which the land is situate,] or within ³[one month] after the service on him of summons, apply to the Court for an order that the landlord shall be directed [to sell for a price to be fixed by the Court, the whole or part of, the extent of land specified in the application.] [*].*

(ii) Notwithstanding anything contained in clause (a) (i) of this sub-section, any such tenant as is referred to in sub-clause (1) (b) of clause (4) of Section 2 or his heirs, may within a period of two months from the date of the publication of the Madras City Tenants' Protection (Amendment) Act, 1973 apply to the Court [whether or not a suit for ejectment has been instituted or proceeding under Section 41 of the Presidency Small Cause Courts Act, 1882 (Central Act XV of 1882) has been taken by the landlord or whether or not such suit or proceeding is pending] having jurisdiction to entertain a suit for ejectment or in the City of Madras either to such Court or to the Presidency Small Cause Court, for an order that the landlord under the tenancy agreement shall be directed to sell for a price to be fixed by the Court the whole or part of the extent of land specified in the application.]

[(b) On such application, the Court shall first decide the minimum extent of the land which may be necessary for the convenient enjoyment by the tenant. The Court shall, then, fix the price of the minimum extent of the land decided as aforesaid, or of the extent of the land specified in the application under clause (a), whichever is less. The price aforesaid shall be the average market value of the three years immediately preceding the date of the order. The Court shall order that within a period to be determined by the Court, not being less than three months and not more than three years from the date of the order, the tenant shall pay into Court or otherwise as directed the price so fixed in one or more installments with or without interest.]"

28. The statutory requirements that a tenant must satisfy to avail the benefits under the Act, as established in *S.R. Radha Krishnan and Others*



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v. Neelamegam (2000) 3 CTC 488 (SC), are as follows:

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- (a) *The individual must be a tenant in possession of the land.*
- (b) *The tenant must have erected a superstructure on the land for which compensation could be claimed under Section 3.*
- (c) *The landlord must have initiated an ejectment suit or proceeding against the tenant.*
- (d) *The tenant must apply to the Court for relief within one month from the date of service of summons in the suit.*

29. In the present case, the defendants in all five cases sought protection under Section 9 of the City Tenants Protection Act, claiming they were willing to purchase the land where they had constructed superstructures. However, mere tenancy is not sufficient for this benefit. The objective of the Act is to protect tenants in municipal towns and townships who have built structures on leasehold lands, provided they pay fair rent for the land. Initially, the Principal Act applied only to tenancies created in the City of Madras. However, it was later amended in 1955.

30. Under **Amending Act 19 of 1955**, the Principal Act originally applied to tenancies created in the City of Madras before its enactment on 21st February 1922. The amendments made under Act 19 of 1955 extended the Act's beneficial provisions to tenants who had constructed

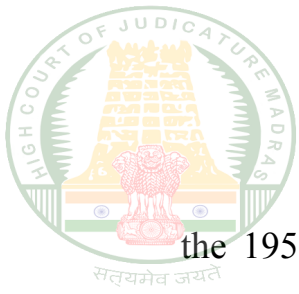


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buildings on demised land before the amendment came into force on 10th September 1955. Furthermore, the Act was extended to areas beyond Madras City, including statutorily notified municipal towns within a five mile radius of Madras.

31. The learned counsel for the appellant argued that, under the Amending Act 19 of 1955, the Act extended to statutorily notified municipal towns, providing protection to tenants who had constructed buildings before 10.09.1955. Since the suit property in question is located in Chidambaram Municipality, which was notified as such before 1955, tenants who entered into tenancy before 1955 would be entitled to protection under the Act. However, in this case, all tenancies commenced after 1955, and there is no evidence that any tenant entered into an agreement with the landlord before that year.

32. Therefore, under the Amendment Act of 1955, the tenants are not entitled to protection under Section 9 of the City Tenants Protection Act. The learned first appellate judge, by relaying the ratio reported in 1988 1LW, Ponnuswami Vs. Sakthivel, incorrectly held that the Act applied to tenancies created before 03-03-1980. However, considering that Chidambaram Town had already been notified as a municipal town under



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the 1955 amendment, this interpretation is not applicable to the present case.

33. As a result, the findings of the first appellate judge that the tenants are entitled to protection under Section 9 of the City Tenants Protection Act because they were tenants before 1980, are erroneous and must be set aside. Accordingly, the question of law A is answered.

34. The learned counsel for the appellant/landlord further argues that even otherwise, if the tenants claim that they are entitled to benefits under Section 9 of the City Tenants Protection Act, they should have filed an application within a month to seek such protection from the date of service of summons in the suit. The four statutory requirements to invoke Section 9, as discussed above, indicate that if the landlord initiates proceedings for ejectment against the tenant, the tenant must take steps to invoke Section 9 within one month of receiving the summons.

35. Before filing the suit in the year 1976, the plaintiff, Sangam, had filed a suit to appoint a new trustee. In that suit, the tenants were listed as defendants, but they did not take any steps to file an application under Section 9 immediately. Moreover, there is no material proof from the



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defendants/tenants that they invoked Section 9 of the City Tenants Protection Act immediately after receiving the summons. Above all, they themselves admit that they paid rent for some time. However, nearly five years before the filing of the suit, they stopped paying rent, claiming that no representative from Sangam came to collect it. Admittedly, all parties reside in Chidambaram town, which is a nearby place, yet the defendants/tenants did not take any effective steps to tender the rent. This amounts to a willful default in rent payment.

36. Before the ejectment suit was filed, the landlord issued a notice granting sufficient time, but the tenants did not respond. They simply stated that they had not received the notice, even though all of them were residing in the same place. Therefore, this objection is unsustainable.

37. A perusal of the learned first appellate judge's findings shows that he discussed whether proper notice was given as required under Section 11 of the City Tenants Protection Act. However, when the tenants failed to respond to the notice and did not raise any plea disputing its validity in their written statement, they cannot later claim it was improper. Without proper pleadings, no amount of evidence can support such a



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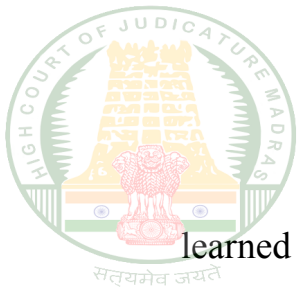
contention.

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38. Despite this, the learned first appellate judge, without considering these legal aspects, erroneously held that proper notice was not issued. This finding is illegal and liable to be set aside. Furthermore, there is no material evidence from the tenants to show that they took steps to invoke Section 9 of the City Tenants Protection Act. The entire set of facts reveals that they did not pay even a meager amount as land rent for nearly five years before the suit was filed, thereby willfully committing default.

39. This is a suit for ejectment, yet the tenants, merely to prolong the proceedings, falsely claimed entitlement to benefits under the City Tenants Protection Act. Their conduct itself indicates that they are not entitled to such benefits. Accordingly, Issue B is answered.

40. Since this is a suit for ejectment, valid notice was issued by the landlord. No reply was given by the tenants in the year 1987. The tenancy was terminated after the issuance of a notice in July 1987, granting three months' time, and was effectively terminated in October 1987. Therefore, proper notice was issued on behalf of the plaintiff/landlord. However, the



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learned first appellate judge failed to properly appreciate the facts. Thus, the appellate court's observations are liable to be set aside.

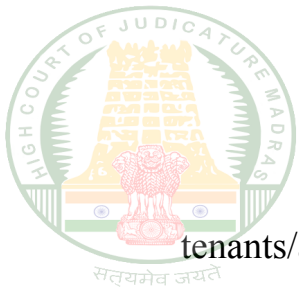
41. In respect of the second appeals filed by the tenants in S.A.Nos.102 & 63 of 1995, this Court admitted the appeals on 20.01.1995 and 01.02.1995, respectively, on the following substantial questions of law:

"a) Whether the courts below were correct in holding that the appellant/defendant is not entitled to the benefits and protection of the City Tenants Protection Act in the context that his possession of the land as well as the superstructure was found established?

b) Whether the plaintiff/respondent is entitled to file the suit for ejectment of the appellant in the absence of valid notice under Section 106 of the Transfer of Property Act, especially when there are inconsistencies regarding the identity of the plaintiff?

c) Whether the respondent/plaintiff is entitled to the decree as prayed for?"

42. As discussed above, the tenants are not entitled to benefits under Section 9 of the City Tenants Protection Act. Moreover, the notice issued by the landlord was valid. The trial court has rightly concluded that the



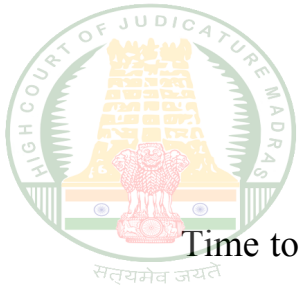
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tenants/appellants are not entitled to possession of the land. Therefore,

Question of Law A is answered in the landlord's favour. The notice issued by the landlord is valid, and the suit for ejectment is legally maintainable. Consequently, the plaintiff is entitled to the decree as prayed for. Accordingly, Questions of Law B and C are answered. These two appeals are dismissed as devoid of merits.

43. In all five appeals, the tenants/defendants are directed to remove the superstructure and hand over vacant possession of the land within three months from the date of receipt of a copy of this order. If they fail to do so, the landlord is entitled to approach the execution court. If such an application is filed, the trial court is directed to dispose of the execution application as early as possible, within three months. The landlord has been fighting this case since 1991, while the tenants have been enjoying the property for nearly 35 years without paying rent.

44. In the result, the Second appeals filed by the landlord in S.A.Nos.1437, 1438 & 1440 of 1994 are allowed and the Second appeals filed by the tenants in S.A.Nos.63 & 102/1995 are dismissed with a direction as stated above. Consequently, all the five suits filed by the landlord / plaintiff decreed as prayed for handover vacant possession.



S.A. Nos.1437, 1438 & 1440 of 1994 and 102 & 63 of 1995

Time to remove the superstructure 3 months. There shall be no order as to

costs.

24.03.2025

Index : Yes/No

Neutral Citation : Yes/No

Speaking/Non Speaking order

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To

- 1.The Subordinate Court, Chidambaram.
2. The District Munsif, Chidambaram.
- 3.The Section Officer, VR Section, High Court of Madras.



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S.A. Nos.1437, 1438 & 1440 of 1994 and 102 & 63 of 1995

T.V.THAMILSELVI, J.

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Second Appeal Nos. 1437, 1438 & 1440 of 1994
and 63 & 102 of 1995

24.03.2025