



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 18.07.2025

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

C.R.P.No.1950 of 2022

Otamal Punjmaji Purohit (Died)

1.Movan Devi

2.O.Suresh Kumar

3.Rathal Lal

4.Purohit Dimple Ranjit Singh

5.Savitha Purohit

... Petitioners

Vs.

1.Valsa Chacko

2.Mariamamma Jose

Rep by Power of Attorney

Saju Chacko

... Respondents

Prayer : Civil Revision Petition filed under Section 25 of Tamilnadu Buildings (Lease & Rent Control) Act, 1960, to set aside the fair and decretal order dated 25.01.2022 in RCA.No.10 of 2018 on the file of the Principal Subordinate Judge, Coimbatore confirming the order and decretal order of the Trial Court, Rent Controller Principal District Munsif, Coimbatore in RCOP.No.323 of 2013 dated 12.07.2018 and may modify, annul and reverse and may be remitted be remitted for reconsideration.

For Petitioners : Mr.S.Arjun

For Respondents : M/s.J.B.Abithabanu Syed Datha Jaffar Hamed



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ORDER

Challenge has been made to the order fixing the fair rent by the Rent Controller as well as the order confirming the same by the Appellate Authority, the present revision has been filed.

2. Originally, one Otamal Oumaji Purohit was inducted as tenant in the first floor in the building for a monthly rent of Rs.6,612 in the year 2004. Since the respondents wanted their premises for their own use and occupation, after due notice, they filed petition in RCOP.No.20 of 2012 before the Additional District Munsif, Coimbatore and the same is pending. The respondents filed a petition in RCOP.No.323 of 2013 under Section 4 of the Tamilnadu Buildings (Lease and Rent Control) Act, 1960 to fix a fair rent of Rs.1,06,808/- per month for the petition property. The Rent Controller fixed the fair rent at Rs.1,10,200/- per month vide order dated 12.03.2018. Challenging the said order, the tenant filed appeal in RCA.No.10 of 2018 before the appellate authority, whereas, the appellate authority dismissed the appeal vide order dated 25.01.2022. Challenging the same, the present revision has been filed.



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3. Heard both sides and perused the materials placed on record.

4. Original tenant namely Otamal Oumaji Purohit was died and their legal heirs have impleaded themselves in this revision, they are petitioners 1 to 5. The second petitioner on behalf of the other petitioners has filed an undertaking affidavit to the effect stating that they have voluntarily vacated the premises and possession was handed over to the respondents on 16.04.2024. In respect of fair rent to be paid to the respondents, Rs.40 lakhs was agreed as one time settlement in full quit as against the total amount of Rs.1,38,85,200/-. The learned counsel for the respondents has also admitted that the respondents/landlord have accepted for the settlement in full quit. It is also stated that out of Rs.40 lakhs as agreed by the parties, Rs.14,24,720/- is already paid and remaining Rs.25,75,280/- will be paid on before 30.04.2025. The said affidavit of undertaking dated 18.07.2025 is taken on record and the same shall form part of the order. It is needles to state that in the event of default, the respondents are entitled to proceed further and the order of the appellate authority as well as the rent controller stands confirmed.



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5. Accordingly, this revision stands disposed of. No costs.

18.07.2025

dhk

Internet : Yes/No

Index : Yes/No

Neutral Citation : Yes/No

To

1. The Principal Subordinate Court, Coimbatore

2. The Principal District Munsif, Coimbatore

3. The Section Officer,
VR Section, High Court, Madras.

C.R.P.No.1950 of 2022



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N.SATHISH KUMAR, J.

This matter is posted today under the caption "for Being Mentioned" at the instance of the learned counsel for the petitioners.

2. The learned counsel for the petitioners submitted that in 12th line of paragraph 4 of the order dated 18.07.2025 passed in C.R.P No.1950 of 2022, it has been inadvertently mentioned as "30.04.2025" instead of 30.04.2026. Hence, he prays to rectify the defects.

3. Considering the submissions made by the learned counsel for the petitioners, in 12th line of para 4 of the order dated 18.07.2025 passed in C.R.P No.1950 of 2022, it shall be read as "30.04.2026".

4. In other aspects, the earlier order passed by this Court dated 18.07.2025, shall stand unaltered.

28.07.2025

Note: Registry is directed to issue fresh order copy after making necessary corrections.

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N.SATHISH KUMAR, J.

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C.R.P No.1950 of 2022

28.07.2025