



CRP(MD).No.42 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.01.2025

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THE HONOURABLE MRS JUSTICE K. GOVINDARAJAN THILAKAVADI

C.R.P(MD)No.42 of 2025 and
CMP(MD).No. 236 of 2025

Muthuramalingam

: Petitioner

Vs.

Meena

: Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the fair and decreetal order, dated 16.07.2023 passed in RCA.No.40 of 2022 on the file of the Rent Control Appellate Authority (Principal Subordinate Judge, Madurai and the order, dated 30.09.2022 in I.A.No.69 of 2021 in RCOP.No.215 of 2016 on the file of the Additional Rent Controller (Additional District Munsif Court, Madurai Town.

For Petitioner : Mr.N. Vallinayagam

For respondent : Mr.R. Ramadurai

ORDER

The present Civil Revision Petition is filed against the fair and



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decreetal order, dated 16.07.2023 made in R.C.A.No.40 of 2022 on the file of the Rent Control Appellate Authority (Principal Subordinate Judge, Madurai and the order, dated 30.09.2022 made in I.A.No.69 of 2021 in RCOP.No.215 of 2016 on the file of the Additional Rent Controller (Additional District Munsif Court, Madurai Town.

2. By the consent of both parties, this Civil Revision Petition is taken up for final disposal in the admission stage itself.

3. According to the revision petitioner he is a tenant in the disputed premises and the respondent is a landlord. The respondent / landlord has filed RCOP.No.215 of 2016 on the file of the Additional Rent Controller / Additional District Munsif Court, Madurai Town for eviction on the ground of wilful default. Pending the said RCOP, the respondent / landlord filed an application in I.A.No.69 of 2021 under Section 11(4) of the Tamil Nadu Buildings (Lease and Rent Control) Act, to direct the petitioner herein to pay all the arrears of the rent from May 2013 to till February 2021 and the same was allowed. Against which, the appeal was preferred by the petitioner in RCA.No.40 of 2022 on the file of the Rent Control Appellate Authority / Principal Subordinate Judge, Madurai and the said



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RCA was also dismissed. Challenging the same, the present revision is filed by the revision petitioner / tenant.

4. The learned counsel appearing for the revision petitioner would submit that without adjudicating the quantum of rent described under Section 11(3) of Tamil Nadu Buildings (Lease and Rent Control) Act, the Court below erroneously allowed the application filed by the respondent under Section 11(4) of Tamil Nadu Buildings (Lease and Rent Control) Act, which requires consideration by this Court.

5. Heard on both sides and perused the materials available on record.

6. On perusal of the records, it is seen that nowhere the petitioner has disputed the quantum of rent and therefore, the said amount has to be paid by the petitioner. Moreover, the petitioner has not deposited the arrears of rent as per the direction of the Court below. Therefore, the present revision is devoid of merits. However, the petitioner is directed to pay the arrears of rent within a period of three months from the date of receipt of a copy of this order in two equal installments, failing which, the petitioner is directed to be evicted from the suit premises on or before



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10.03.2025. The respondent is at liberty to take further action to proceed with the decree passed by the Court below.

7. Accordingly, this Civil Revision Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

09.01.2025

Index : Yes / No
Internet : Yes/ No
trp

To

1. The Principal Subordinate Judge,
Madurai.

2. The Additional District Munsif Court,
Madurai Town.



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K. GOVINDARAJAN THILAKAVADI, J.,

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