

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2017

CORAM

THE HON'BLE MR. JUSTICE **D. KRISHNAKUMAR**

CRP.(NPD).No.4353 of 2017  
and CMP.No.20675 of 2017

V.Murali

..Petitioner

Vs.

Lakshmi

..Respondent

**PRAYER:**

The Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the Order dated 26.04.2017 in IA.No.587 of 2017 in RCA.No.14 of 2017 passed by Rent Control Authority, Puducherry / District Judge, Puducherry.

For Petitioner

: Mr.M.Gnanasekar

**ORDER:**

According to the revision petitioner, the revision petitioner has filed an application in IA.No.587 of 2017 in RCA.No.14 of 2017 under Section 23 (2) of the Pondicherry Buildings (Lease and Rent Control) Act, 1969 to stay the order of

eviction dated 17.01.2017 passed in RCOP.No.41 of 2013 on the file of the Rent Controller-II, Puducherry pending disposal of the above appeal. After hearing both the parties, the court below has passed an order on 26.04.2017 by stating that the revision petitioner shall deposit a sum of Rs.81,250/- on or before 11.05.2017, otherwise the petition stands dismissed and posted the matter on 01.06.2017. Hence, the revision petitioner has filed the present Civil Revision Petition before this Court.

2. According to the revision petitioner, the revision petitioner has sufficient material to show that he is regularly paying the rent to the respondent. The revision petitioner has also filed the same in the typed set of papers. The revision petitioner can very well approach before the court below and satisfy the court that the revision petitioner is regularly paying the rent to the respondent. In the present case, the revision petitioner has challenged only the order dated 26.04.2017. Subsequently, the above case is posted on 01.06.2017 for compliance. The petitioner has not challenged the consequential order or filing appropriate application before the court below seeking to modify or review the earlier order passed by the court below. In such circumstances, this Court is not inclined to interfere with the orders passed by the

court below. Therefore, there is no prima facie case is made out to entertain the Civil Revision Petition and the same is liable to be dismissed.

3. In view of the above, the Civil Revision Petition fails and the same is dismissed. Consequently, the connected miscellaneous petition is closed. No costs.

30.11.2017

Speaking/Non-speaking order

Index : Yes/No

Internet: Yes/No

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**D.KRISHNAKUMAR.J,**

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To  
The Rent Control Authority,  
Puducherry / District Judge,  
Puducherry.



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