

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 9283 OF 2014

V. GOVINDASAMY

Appellant(s)

VERSUS

T.V.R.C.KANNAN (DEAD) BY LRS.

Respondent(s)

J U D G M E N T

KURIAN, J.

1. This is a case where the Rent Controller, Tiruchirapalli, passed an order under Section 11(4) of the Tamil Nadu Buildings (Lease and Rent Control) Act 18 of 1960. The learned counsel for the appellant submits that he has cleared all arrears of rent up-to-date. Since the impugned order is passed under Section 11(4), we are of the view that the main petition filed under Section 10(2) of the Act for eviction has to be considered on merits.

2. Therefore, without expressing any opinion on various submissions advanced by the learned counsel for the appellant and Mr. Balaji Srinivasan, who assisted us as Amicus Curiae, we set aside the impugned orders passed by the Rent Controller, Tiruchirapalli, the Appellate Court and the High Court and remit the Rent Control Petition to the Rent Controller, Tiruchirapalli for consideration on

merits.

3. Since there is no appearance on behalf of the respondents, we direct the Rent Controller to issue fresh notice to the parties and being a matter of 1991, the petition itself may be disposed of expeditiously and in any case, within three months from the date of first posting.

4. In view of the above, the appeal is disposed of.

.....J.  
[ KURIAN JOSEPH ]

.....J.  
[ HEMANT GUPTA ]

New Delhi;  
November 13, 2018.