

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).2329/2006

(From the judgement and order dated 29/07/2005 in CRP(NPD) No. 2562/2004 of The HIGH COURT OF MADRAS)

A.K. ASIA & ORS.

Peti tioner(s)

VERSUS

V. MANICKARAJ & ORS.

Re spondent(s)

(With appln(s) for exemption from filing O.T. and prayer for interim relief))

Date: 06/02/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE ALTAMAS KABIR

For Petitioner(s)

Mr. S.Balakrishnan, Sr. adv.

Mr. R. Golapa Krishnan,Adv.

Mr. Subramonium Prasad,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

Counsel for the petitioners submits that before the High Court the order of eviction was

challenged on both the grounds, namely, willful default in payment of rent and requirement for

demolition and reconstruction. The High Court has not at all discussed the submissions urged by the

petitioners regarding default in payment of rent but has affirmed the order of eviction on the other

ground. He, however, submits that under Section 16 of the Tamil Nadu Building (Lease and Rent

Control) Act, 1960 he may have a right or re-induct
ion if the building is not demolished and

reconstructed within a specified period, but his eviction being on th
e ground of default in payment of

rent also, the said ground may not be available to the petitioners.

Issue notice to the respondents on this limited questio
n only.

(Ajay Kr. Jain)

(Vijay Dhawan)

Court Master

Court Master