



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-08-2026

CORAM

THE HON'BLE MR.JUSTICE P.B. BALAJI

**CRP No.3055 of 2024
and CMP. No.16469 of 2024**

Vijayalakshmi

..Petitioner(s)

Vs

1.M.R.Sangeetha
2.V.Manikandan

..Respondent(s)

PRAYER: This Civil Revision Petition is filed under Section 115 of CPC, to set aside the impugned order dated 05.07.2024, in E.A. No.3 of 2023 in E.P. No.135 of 2023 in RLTOP No.41 of 2021 on the file of the learned Rent Court (Principal District Munsif), Poonamallee.

For Petitioner(s): Mr.D.Arunkumar

For Respondent(s): Mr.S.Janarthanan for R1
Mr.V.Manikandan- Party in Person for R2

ORDER

The learned counsel for the petitioner and the learned counsel for the first respondent and the second respondent in person are present today in the Chambers.

2. The learned counsel for the petitioner advanced his arguments on merits of the revision petition and the same was adopted by the second respondent in person who is none else than the husband of the revision



petitioner, who is occupying the tenanted premises along with the revision petitioner. On 11.08.2026, I had indicated that on merits, the revision petitioner did not have a good case and the learned counsel for the petitioner has in turn, advised the petitioner as well as the second respondent to seek for reasonable time to vacate and handover the vacant possession.

3. Today, an undertaking affidavit filed by the revision petitioner dated 13.08.2026, the relevant portion at Paragraph No.3, reproduced hereunder:-

"3. Heeding to the kind and benevolent advise of this Hon'ble Court, without admitting or traversing any of the averments/contentions of the opposite parties, in order to give effect to the principle of finality of litigation, I hereby undertake to vacate the petitioner schedule premises under my possession on or before 12.08.27"

The second respondent/husband of the petitioner also affirms the affidavit of undertaking filed by the wife.

4. In view of the above, the revision petitioner is dismissed, confirming the eviction order in RLTOP.41 of 2021. However, the petitioner and the second respondent shall have time till 12.08.2027, to vacate and handover vacant possession of the tenanted premises to the first respondent, without driving the first respondent to approach this Court for contempt or the Execution Court for forcible dispossession, through Court process. In consideration of the petitioner and the second respondent come forward to vacate and handover vacant possession without prosecuting the revision



petitioner on merits, the learned counsel for the first respondent, on instructions, states that the first respondent is willing to waive the arrears of the rents, provided the petitioner and the second respondent vacate on or before, 12.08.2027.

5. In fine, this Civil Revision Petition is dismissed, confirming the order of eviction dated 05.10.2023. However, granting time to the petitioner and the second respondent, till 12.08.2027, to vacate and handover vacant possession of the tenanted premises peacefully to the first respondent. In the event of the petitioner and the second respondent not complying with the said condition/timelines, then the first respondent waives his right to recover the alleged arrears of rent. However, in the event of the petitioner and the second respondent not vacating by the said date, viz., 12.08.2027, it shall be open to the first respondent to also seek for recovery of arrears of rent, besides opting to file a contempt for recovery of possession or move Executing Court for such relief. Consequently, connected Miscellaneous Petition is also closed. No costs.

13-08-2026

RKP

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

To

The Rent Court (Principal District Munsif), Poonamallee.



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P.B.BALAJI, J.,

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