

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2015

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

C.R.P.(NPD)No.1411 of 2015
and M.P.No.1 of 2015

Ramalingam

..... Petitioner

vs

D. Arulkumar

.... Respondent

Civil Revision Petition filed under Section 25 (1) of the Tamil Nadu Buildings (Lease and Rent Control) Act 18 of 1960 against the decree and judgment dated 6.11.2014 passed by VII Judge, Court of Small Causes in R.C.A.No.617 of 2013, confirming the judgment and decree dated 26.9.2013 passed in R.C.O.P.No.601 of 2011 on the file of XIV Judge, Court of Small Causes, Chennai.

For Petitioner : Mr.V. Manohar

For respondent : Mr.B. Nagarajan

ORDER

Challenging the judgment and decree passed in R.C.A.No.617 of 2013, on the file of Rent Control Appellate Authority/VII Judge, Court of Small Causes, Chennai, confirming the judgment and decree dated 26.9.2013 passed in R.C.O.P.No.601 of 2011, on the file of Rent Controller/XIV Judge, Court of Small Causes, Chennai, the tenant has filed the above Civil Revision Petition.

2. The respondent/landlord has filed a petition in R.C.O.P.No.601 of 2011, for eviction, on the ground of demolition and reconstruction. The Rent Controller ordered eviction and the Rent Control Appellate Authority also confirmed the order passed by the Rent Controller, against which, the tenant has filed the above Civil Revision Petition.

3. When the matter is taken up of for hearing, the learned counsel appearing for the petitioner/tenant submitted that the tenant is willing to vacate the petition premises in nine months time. To this effect, the petitioner has also filed an affidavit of undertaking dated 21.7.2015 before this Court. In Paragraph-5 of the affidavit, the petitioner has stated that he undertakes to vacate the premises in nine months time.

4. The affidavit of undertaking, filed by the petitioner, is recorded and in view of the same, the petitioner is granted nine months time to vacate the premises, without driving the respondent to initiate the execution proceedings.

5. It is made clear that the petitioner/tenant shall continue to pay the monthly rent, without any default, to the respondent/landlord, till he vacates and hand over the vacant possession.

6. With the above observation, the Civil Revision Petition is dismissed. No costs. Consequently, the connected MP is closed.

21-07-2015

sr

Index:no
website:yes
To

1. The VII Judge, Court of Small Causes, Chennai
2. The XVI Judge, Court of Small Causes, Chennai

M.DURAISWAMY,J.,

sr

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