

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2015

CORAM :

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

S.A.No.237 of 2015
and
M.P.Nos.1 and 2 of 2015

Farhath ...Appellant/Defendant

Vs.

Noorunissa Begam ...Respondent/Plaintiff

Prayer:- This Second Appeal has been filed under Section 100 of Civil Procedure Code against the Judgment and decree dated 30.01.2015 made in A.S.No.22 of 2014 on the file of the Subordinate Judge, Vellore confirming the judgment and decree dated 28.01.2014 made in O.S.No.211 of 2011 on the file of Principal District Munsif Court, Vellore, Vellore District.

For Appellant : Mr.T.Dhanyakumar
For Respondent : Mr.Margabandhu

J U D G M E N T

The appellant has filed an affidavit that she would undertake to deliver the possession of the suit property to the respondent on or before 31st December, 2015 without recourse to the Court any Execution Petition. The relevant portion of which reads as follows:-

5. I now undertake to deliver the possession of the suit property to the respondent on or before 31.12.2015 without recourse to any execution petition by the respondent herein.

I therefore pray that this Honourable Court may be pleased to record this Undertaking and grant me time till 31.12.2015 for delivery of the suit property to the respondent.

By filing this affidavit, the appellant / defendant is seeking time for vacating the suit premises.

2. Mr.R.Margabandu, learned counsel for the respondent has made an endorsement that he has no objection for granting time for the appellant to vacate the premises till 31.12.2015.

3. The affidavit of undertaking is taken on record. In case, the appellant is not vacating the premises as undertaken by the affidavit dated 29.06.2015, the decree granted by the Trial Court stands confirmed and it is open to the respondent to take delivery of possession through the Court of law. Accordingly, the Second Appeal is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

srn

To

1.The Principal District Munsif, Vellore.

2.The Subordinate Judge, Vellore.

1 cc to Mr.T.Dhanyakumar , Advocate Sr.No.32112

1 cc to Mr.Margabandhu , Advocate Sr.No.32552

S.A.No.237 of 2015

and

M.P.Nos.1 and 2 of 2015

ksj (co)

pmk.31.7.2015

सत्यमेव जयते

WEB COPY