

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2016

CORAM

THE HONOURABLE THIRU JUSTICE **M. DURAISWAMY**

C.R.P.(NPD)No.1461 of 2014  
and M.P.No.1 of 2014

1.P.M. Devaraj

2.M/s KUMARAN TEXTILES,  
represented by its Proprietor:  
P.M. Devaraj  
No.30, Station Road,  
Villivakkam,  
Chennai – 600 049

.... Petitioners

vs

1.K. DEVAMANI

2.G. KANNAYIRAM (deceased)

3.Vijayalakshmi

4.Divakar

5.Mala

(Respondents 3 to 5 brought on record as Lrs  
of the deceased 2<sup>nd</sup> respondent vide order of  
the Court dated 03.11.2016 made in CMP No  
17109/2016 in CRP (NPD) No.1461/2014)

... Respondents

Civil Revision Petition filed under Section 25(1) of the Tamil nadu  
Buildings (Lease and Rent Control) Act, 1960 against the judgment and  
decree dated 27.02.2014 passed in RCA No.180 of 2009 by the VIII Small  
Causes Judge, reversing the decretal order passed in RCOP No.940 of 2006

dated 10.01.2008 by XV Small Causes Judge, Chennai.

For petitioners : Mr.L. Rajasekar

For respondents : Mrs.G. Devi

### **ORDER**

Challenging the judgment and decree passed in R.C.A.No.180 of 2009 on the file of Rent Control Appellate Authority/VIII Judge, Court of Small Causes, Chennai, reversing the order passed in RCOP No.940 of 2006 on the file of Rent Controller/XV Judge, Court of Small Causes, the tenants have filed the above Civil Revision Petition.

2. When the matter is taken up for hearing on 21.11.2016, the learned counsel appearing for the petitioners submitted that the tenants are willing to vacate the premises in six months time and sought time till today i.e., 23.11.2016 for filing an affidavit of undertaking.

3. Accordingly, the tenants have filed an affidavit of undertaking today. In the affidavit of undertaking, the petitioners/tenants sought time till 30.05.2017 for vacating and handing over vacant possession to the respondents/landlords.

4. The learned counsel appearing for the respondents/landlords has no objection for granting time till 30.05.2017.

5. In view of the submissions made by the learned counsel on either side, the order passed by the trial Court in R.C.A.No.180 of 2009 stands confirmed and the Civil Revision Petition stands dismissed. The affidavit of undertaking dated 22.11.2016 is taken on record and the petitioners/tenants are granted time till 30.05.2017 for vacating and handing over vacant possession of the petition premises to the respondents/landlords, without driving them to initiate execution proceedings. No costs. Consequently, connected MP is closed.

23-11-2016

sr

Index:no  
website:yes  
To

1. The VIII Judge, Court of Small Causes, Chennai
2. The XV Judge, Court of Small Causes, Chennai

**M. DURAISWAMY,J.,**

sr

CRP(NPD)No.1461 of 2014

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