

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.08.2016
Coram

The Hon'ble Mr.Justice M.DURAIWAMY

CRP(NPD)No.2466 of 2015
and M.P.No.1 of 2015

H.Rahamathullah

...Petitioner

Vs

Deivanayagam

... Respondent

Civil Revision Petition filed under Section 25 of Tamil Nadu Buildings (Lease and Rent) Control Act, 1955 to set aside the order dated 31.03.2015 made in R.C.A.No.225 of 2014 on the file of VII Court of Small Causes, Chennai confirming the order and decree in R.C.O.P.No.1256 of 2011 dated 17.02.2014 on the file of XIV Court of Small Causes, Chennai.

For Petitioner : Mr.V.S.Mannarsamy
For Respondent : Mr.R.Vijayaraghavan

ORDER

Challenging the judgment and decree passed in RCA.No.225/2014, on the file of 7th Judge, Court of Small Causes, Chennai, confirming the order of eviction passed in R.C.O.P.No.1256 of 2011, dated 17.02.2014, on the file of XIV Judge, Court of Small Causes, Chennai, the tenant has filed the above civil revision petition.

2. The respondent/land lord has filed RCOP No.1256 of 2011 for eviction on the ground of willful default. The Court below granted an order of eviction, against which the tenant has filed the above Civil Revision Petition.

3. When the matter is taken up for hearing, the learned counsel appearing for the petitioner/tenant submitted that the petitioner/tenant is willing to vacate the premises in six months' time and to that effect, the petitioner also filed an affidavit of undertaking on 16.08.2016 before this court.

4. The learned counsel appearing for the petitioner submitted that instead of 18.02.2017, the petitioner may be granted time till 28.02.2017 for vacating and handing over vacant possession to the respondent/landlord, for which, the learned counsel appearing for the respondent/landlord has no objection.

5. In view of the submissions made by the learned counsel on either side, the orders of eviction granted by the Courts below are confirmed. The Civil Revision Petition stands dismissed. The petitioner/tenant is granted time till 28.02.2017 for vacating and handing over possession of the petition premises, without driving the

respondent/landlord to initiate execution proceedings.

No costs. Connected miscellaneous petition is also dismissed.

17.08.2016

rg/dpq

To

The XIV Small Causes Court,
Chennai,

The VII Small Causes Court
Chennai.

M.DURAIWAMY,J

rg/dpq

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