

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAIWAMY

C.R.P.(NPD).No.2059 of 2016
and C.M.P.No.10705 of 2016

Harikrishnan

... Petitioner

Vs.

M.Mahalingam

... Respondent

Civil Revision Petition filed under Section 25 of the Tamil Nadu Buildings (Lease and Rent Control) Act 1960 amended by Act 23 of 1973 and 1 of 1980 against the order and decreetal order dated 22.01.2015 made in R.C.A.No.536 of 2013 on the file of the VII Judge, Small Causes Court, Chennai against the fair and decreetal order made in R.C.O.P.No.1511 of 2008 dated 25.07.2013 on the file of the XI Judge, Small Causes Court, Chennai.

For Petitioner : Mr.G.Thangavel

For Respondent : Mr.A.Palaniappan

ORDER

Challenging the judgment and decree passed in R.C.A.No.536 of 2013 on the file of the VII Judge, Court of Small Causes, Chennai, confirming the order passed in R.C.O.P.No.1511 of 2008 on the file of the XI Judge, Court of Small Causes, Chennai, the tenant has filed the above Civil Revision Petition.

2.The respondent/landlord filed R.C.O.P.No.1511 of 2008 for eviction on the ground of own use and occupation. The Rent Controller ordered eviction, which was challenged by the tenant in R.C.A.No.536 of 2013 and the Rent Control Appellate Authority also confirmed the order of eviction passed by the Rent Controller, against which the present Civil Revision Petition has been filed by the tenant.

3.When the matter was taken up for hearing, the learned counsel appearing for the petitioner/tenant submitted that the tenant is willing to vacate the premises in four months time. The petitioner/tenant also filed an affidavit of undertaking dated 22.07.2016 undertaking to vacate the petition premises in four months time.

4.The learned counsel appearing for the respondent has no objection for granting four months time.

5.In view of the submissions made by the learned counsel on either side and also taking into consideration the affidavit of undertaking filed by the petitioner/tenant, the order of eviction passed by the Courts below are confirmed. The Civil Revision Petition stands dismissed. The petitioner/tenant is granted four months time to vacate and hand over vacant possession of the

petition premises to the respondent/landlord without driving him to initiate execution proceedings. The affidavit of undertaking dated 22.07.2016 shall form part of the record. No costs. Consequently, the connected miscellaneous petition is closed.

Index : No
Internet : Yes
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08.09.2016

To

- 1.The VII Judge,
Small Causes Court,
Chennai.
- 2.The XI Judge,
Small Causes Court,
Chennai.

M.DURAIWAMY,J.
va

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