

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2017

CORAM :

THE HONOURABLE MR. JUSTICE M. GOVINDARAJ

C.R.P.(NPD).No.2130 of 2017
and
C.M.P.No.10166 of 2017

V.Jeevarathinam

...Petitioner

Vs.

E.Deenadayalan

...Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decretal order dated 04.01.2017 made in I.A.No.4534 of 2015 in O.S.No.6015 of 2015 on the file of the V Assistant City Civil Court, Chennai and consequently order rejection of plaint in O.S.No.6015 of 2015 pending on the file of the II Assistant City Civil Court, Madras.

For Petitioner : Mr.P.B.Harikrishnan

For Respondent : Mr.S.Saravanakumar

ORDER

When the matter is taken up today, learned counsel appearing for the respondent would submit that the respondent is willing to

vacate the premises and handover possession within a period of four months, provided the landlord/petitioner forgoes the arrears of rent.

2. He has also filed an affidavit of undertaking dated 18.07.2017 to that effect.

3. It is also brought to the notice of this Court that the petitioner / landlord has filed a suit in O.S.No.2743 of 2015 before this Court for permanent injunction restraining the respondent herein from interfering with his peaceful possession and enjoyment of the suit property and the same was decreed *ex parte* on 13.10.2015. The counsel for the petitioner/landlord has agreed for the proposal.

4. In the view of the statements made above and also in the light of the affidavit of undertaking filed by the respondent, the Civil Revision Petition is dismissed. No costs. Consequently, connected civil miscellaneous petition is closed.

18.07.2017

Speaking order/Non-speaking order
Index: Yes/No
Internet: Yes/No
klt/tk

M.GOVINDARAJ, J.

klt/tk

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