

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2018

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

C.R.P. (NPD) No.4726 of 2017
and
C.M.P No. 22262 of 2017

P. Rajagopal .. Petitioner

Vs

A. Sukumaran .. Respondent

PRAYER: Civil Revision Petition filed under Section 115 of Code of Civil Procedure, to set aside the fair and decreetal order passed in E.P. No.44 of 2017 in RCOP No.5 of 2014 dated 13.11.2017 on the file of the Principal District Munsif at Cuddalore and allow the Civil Revision Petition.

For Petitioner : Mr. P. Anbazhagan

For Respondent : Mr. D. Ravichander

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ORDER

This revision petition arises against the fair and decreetal order passed in E.P. No.44 of 2017 in RCOP No.5 of 2014 dated 13.11.2017 on the file of the Principal District Munsif at Cuddalore.

2. The learned counsel for the petitioner would submit that the respondent herein, the landlord of the premises, filed a petition in RCOP No.5 of 2014 seeking for eviction on the ground of willful default in payment of rent. After hearing both the parties, the District Munsif, Cuddalore ordered for eviction of the petitioner within a period of two months. Against the said order, the petitioner tenant filed an appeal and the same was dismissed. Subsequently, the respondent filed execution petition in E.P. No.44 of 2017 and the same was ordered in favour of the respondent landlord. Challenging the same, the present revision petition is filed before this Court.

3. Today when the matter was take up for hearing, the learned counsel for the petitioner filed an Undertaking Affidavit dated 10.01.2018 before this Court stating that the petitioner undertakes to vacate the demised property within a period of six months and will handover the possession to the respondent on or before 12.07.2018. The petitioner also undertakes to pay the arrears of rent to the respondent, within a period of four months from today (i.e.12.01.2018). The said undertaking affidavit dated 10.01.2018 shall form part of the records.

The learned counsel for the respondent has no objection to dispose of the revision petition, based on the Undertaking Affidavit filed by the petitioner.

4. In view of the above said submissions of the learned counsel for the petitioner and recording the above Undertaking Affidavit dated 10.01.2018 filed by the petitioner, the Civil Revision Petition is disposed of. Consequently, the connected Miscellaneous Petition is closed. No costs.

12.01.2018

Index : Yes/ No

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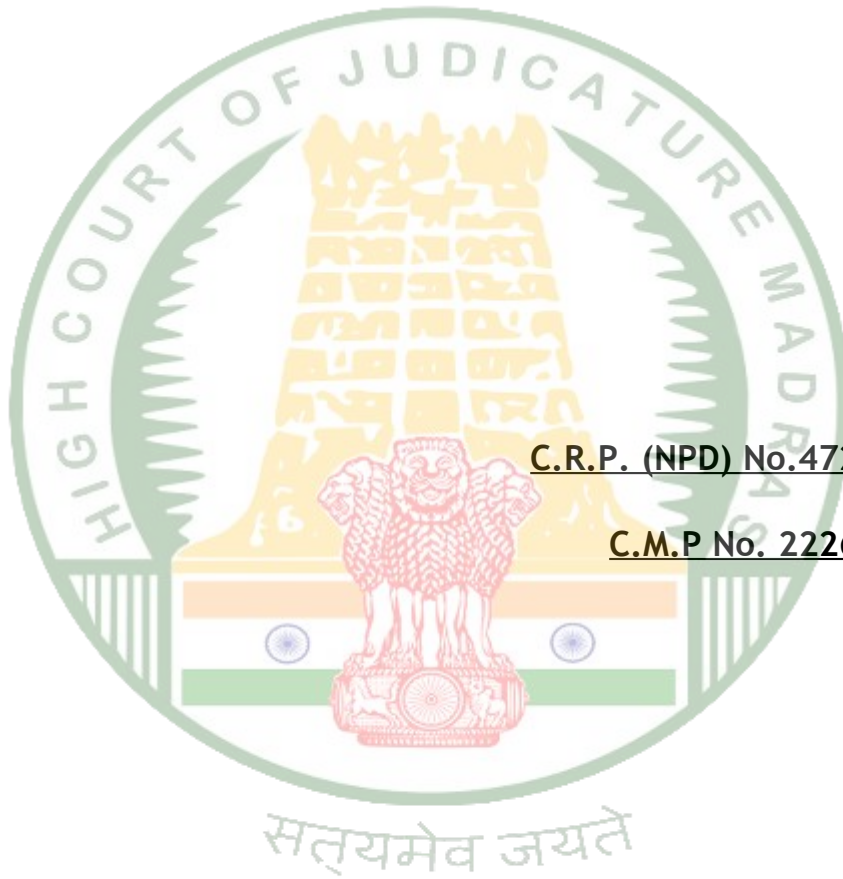
To

The Principal District Munsif Court
Cuddalore.

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D. KRISHNAKUMAR J.,

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