

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE **D. KRISHNAKUMAR**

CMP.No.1513 of 2018 and
CRP(NPD).No.SR97892 of 2017

T.Balan

.. Petitioner

Vs

P.Usha,
Represented by POA Mrs.B.Rupa,
No.4, Wallace Graden, 3rd Street,
Chennai 600 006

.. Respondent

PRAYER

Civil Miscellaneous Petition is filed under Section 151 of the Civil Procedure Code to condone the irregular of defective filing of the CRP in CRP.SR.No.97892 of 2017 on 11.12.2017 and direct the Registry of this Hon'ble Court to number the above CRP.NPD.No.SR.97892 of 2017 challenging the order of the IXth Small Causes Court, Chennai made in RCA.No.63 of 2017 on 01.11.2017 and order made ready on 14.11.2017 and received by the revision petitioner on 19.11.2017 allowing the aforesaid RCA.No.63 of 2017 and filed against reversing the order dated 28.11.2016 made by the

learned Xth Rent Controller in RCOP.No.499 of 2014 thereby ordering eviction of the revision petitioner on the ground of wilful default and cease to occupy.

For Petitioner : Mr.N.Chandraraj for
M/s.Raj and Raj Asso.

For Respondent : Mr.P.Gunaraj

ORDER

Today, undertaking affidavit has been filed by the petitioner before this Court by stating that the petitioner undertakes to vacate the premises within three months' time from 15.06.2018 on the receipt of the renewed license and if no licence is received within the aforesaid date, the petitioner will vacate and hand over the possession to the respondent on 16.07.2018.

2. The respondent has no objection for the undertaking affidavit filed by the petitioner.

3. The learned counsel for the petitioner also undertakes that being the petitioner is in possession of the property, no petition has been filed under Section 47 of the Civil Procedure Code.

4. The petitioner also undertakes to pay monthly rent to the respondent on or before 5th day of every succeeding calendar month. If any default in payment of the rent, it is open for the respondent to proceed for vacating the premises.

5. Undertaking affidavit filed by the petitioner shall form part of the order.

6. By recording the aforesaid undertakings, the Civil Miscellaneous Petition is disposed of with above directions. Consequently, the Civil Revision Petition is also disposed of at the SR stage itself. No costs.

05.02.2018

Speaking/Non-Speaking order

Index :Yes/No

Internet:Yes/No

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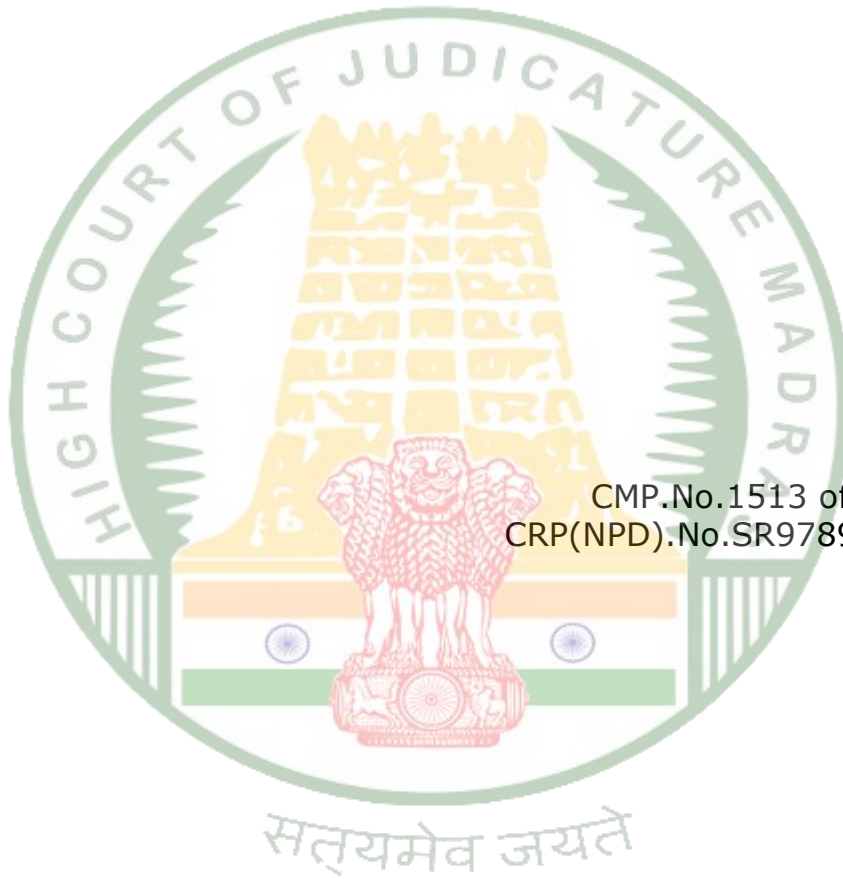
Note: Issue order copy on 06.02.2018

To

- 1) The IXth Small Causes Court, Chennai
- 2) The Xth Small Causes Court, Chennai

D. KRISHNAKUMAR J.,

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