



C.R.P (MD) Nos.1245 of 1996 and 2076 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 01.08.2022

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

C.R.P (MD) Nos.1245 of 1996 and 2076 of 2018

S.Senthukarai Nadar

... Petitioner

Vs

1.Vadamalai (died)

2.V.Jayapal

3.V.Chandrasekaran

4.V.Rajasekaran

... Respondents

[R2 to R4 are brought on record as Legal heirs of the deceased sole respondent vide Court order dated 01.04.2021 made in CMP(MD)Nos. 10622 to 10624 of 2018]

PRAYER: Civil Revision Petition in CRP(MD)NO.1245 of 1996 is filed under Section 25 of the Tamil Nadu Buildings (Lease and Rent Control) Act, 1960 as amended Act 23/73 and Act 1 of 1980, to set aside the judgment and decree dated 17.03.1994 made in RCA.NO.126 of 1991 on the file of the Appellate Court, (Court of Principle Sub Judge), Madurai confirming the order and decree dated 29.04.1991 made in RCOP.No.774 of 1982 on the file of the Court of Rent Controller (Principal District Munsif), Madurai and allow the civil revision petition in CRP(MD)No.1245 of 1996



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with cost and CRP(MD)No.2076 of 2018 is filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 11.06.2018 passed in E.A.No.235 of 2013 in E.P.No.72 of 2013 in RCOP No.774 of 1982 on the file of the Additional District Munsif, Madurai Town by allowing the civil revision petition in CRP(MD)No.2018 of 2018.

For Petitioner : Mr.S.M.Anantha Murugan
For Respondent : Mr.D.Nallathambi

ORDER

When these civil revision petitions are taken up for hearing the learned Counsel for the respondents submits that the respondents are inclined to vacate the premises on or before 30.11.2022 and with regard to the arrears of rent, they have already deposited the rent upto May 2022 in RCOP.No.1 of 2015 before the trial Court. They have filed an undertaking affidavit dated 31.07.2022 and the relevant portion of the same is extracted hereunder:

"5.We submit that in such circumstances, we hereby undertake that we will vacate the petition mentioned property within a period of four months from 01.08.2022, i.e. On or before 30.11.2022 and hand over the same to the petitioner herein".



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2.The undertaking affidavit dated 31.07.2022 filed by the respondents is placed on record.

3.In view of the above, these civil revision petitions are disposed of with a direction to the respondents to vacate the premises and hand it over to the petitioner on or before 30.11.2022 as undertook by them. It is open to the petitioner to withdraw the arrears of rent deposited by the respondents before the trial Court. No costs. Consequently connected miscellaneous petitions if any stand closed.

01.08.2022

dsk

To

- 1.The Rent Control Appellate Authority /
the Principal Sub Judge,
Madurai.
- 2.The Rent Controller/
The Principal District Munsif,
Madurai Town.
- 3.The Additional District Munsif,
Madurai Town



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These Civil Revision Petitions have been referred today under the caption for 'being mentioned'.

2.The learned counsel appearing for the petitioner submits that the name of the Revision Petitioner has been mentioned in the order as “S.Senthukarai Nadar” instead of “S.Sethukarai Nadar”.

3.Considering the submission made by the learned counsel for the revision petitioner, in the first page of the above order, the name of the revision petitioner is modified as “S.Sethukarai Nadar”.

4.Registry is directed to carryout the aforesaid correction in the order dated 01.08.2022 and issue the corrected copy of the order forthwith.

13.09.2022

vrn

Note: Issue Order copy on 16.09.2022



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