



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.02.2018

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P (NPD) (MD) Nos.852 & 1219 of 2017
and
C.M.P (MD) Nos.3781 & 5848 of 2017

S.Alagar ...Petitioner / Appellant / Respondent
in C.R.P. (MD) No.852 of 2017

M.Gopal ...Petitioner / Appellant / Respondent
in C.R.P. (MD) No.1219 of 2017

Vs.

R.K.Kousi ...Respondent / Respondent / Petitioner
(in both petitions)

COMMON PRAYER:- Petitions filed Section 25 of the Tamil Nadu Buildings (Lease and Rent Control Act), praying to set aside the orders dated 09.11.2016 made in R.C.A.Nos.14 & 15 of 2014, respectively, on the file of the Principal Subordinate Court (Rent Control Appellate Authority), Madurai confirming the orders dated 30.09.2013 made in R.C.O.P.Nos.2 & 3 of 2009, respectively, on the file of the District Munsif Court, Vadipatti.

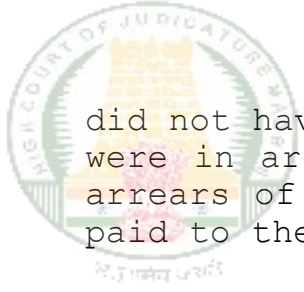
For Petitioner : Mr.PT.S.Narendravasan
For Respondent : M/s.K.Hemakarthiskeyan for caveator
(In both petitions)

ORDER

Assailing over the concurrent findings of the Rent Control Appellate Authority (Principal Sub Court), Madurai in R.C.A.Nos.14 & 15 of 2014, respectively, dated 09.11.2016 and the learned District Munsif, Vadipatti in R.C.O.P.Nos.2 & 3 of 2009, respectively, dated 30.09.2013, the present Civil Revision Petitions came to be filed.

2. The petitioners would submit that they were tenants under the respondent. The respondent filed R.C.O.P.Nos.2 and 3 of 2009 for eviction and the same were allowed, against which, they filed R.C.A.Nos.2 and 3 of 2009 and the same were dismissed. As against the said order, these revision petitions have been filed.

3. When the matter came up for admission, this Court was not inclined to admit the revision or to grant interim order and therefore, the learned counsel for the petitioners prayed time for vacating the premises, for which, learned counsel for the respondent



did not have any objection, but he would submit that the petitioners were in arrears of rent. The petitioners also undertook to pay the arrears of rent and accordingly, on 06.02.2018, arrears of rent was paid to the respondent which was also recorded by this Court.

4. Now, the petitioners have filed an undertaking affidavit dated 11.02.2018, undertaking that they would vacate the premises and hand over the vacant possession to the respondent within a period of six months, i.e., on or before 11.08.2018.

5. In view of the undertaking affidavit, the petitioners are directed to vacate the premises and hand over vacant possession to the respondent on or before 11.08.2018. It is needless to state that the petitioners/tenants shall pay the rental arrears for the months of January and February 2018 on or before 05.03.2018 and till they vacate, they shall also pay the monthly rent for the subsequent months on or before the 5th of every English calendar month.

6. With the above direction, these Civil Revision Petitions are disposed of. No costs. The undertaking affidavit shall form part and parcel of this order. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar

Herewith enclosed a copy of the undertaking affidavit

To

1.The Principal Subordinate Judge, Rent Control Appellate Authority
Madurai.

2.The District Munsif,
Vadipatti.

+1CC to M/s.Hema Karthikeyan, Advocate, SR.No. 47803

+2CC to Mr.P.T.S.Narendravasan, Advocate, SR.No. 48111, 48112

C.R.P (NPD) (MD) Nos.852 & 1219 of 2017
12.02.2018

gk

AM/GT/SAR 4/15.03.2018/2P/6C