

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :21.03.2019

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.R.P.(P.D).886 of 2019

and

CMP.No.5762 of 2019

Malliga ... Petitioner/Petitioner/Defendant

- Vs -

Kala ...Respondent/Respondent/Plaintiff

Prayer: Petition under Article 227 of the Constitution of India praying to allow the Civil Revision Petition and set-aside the order and decreetal order dated 26.10.2018 made in I.A.No.6268 of 2018 in O.S.No.88 of 2017 on the file of IV Assistant City Civil Court, Chennai.

For Petitioner : Mr. R. Thirugnnam

O R D E R

The above Civil Revision Petition is filed as against the rejection of the suit for bare injunction filed by the tenant that she should not be vacated and disturbed except by due process of law.

2. When the matter had come up for admission on 14.03.2019, this court has directed the learned counsel for petitioner to get an affidavit of undertaking from his client that she will not take steps to vacate the tenant except by due process of law.

3. Today, an affidavit dated 12.03.2019 has been filed, wherein it has been stated that in the rent control proceedings, RCOP.No. 1139 of 2017, eviction has been ordered granting the tenant two (2) months to vacate the premises from 22.02.2019. In the affidavit of undertaking, the revision petitioner/landlord has stated that till the completion of the eviction order dated 22.02.2019 passed in RCOP No.1139 of 2017,

she will not disturb the respondent's possession.

4. The affidavit of undertaking is placed on record and the Civil Revision Petition is disposed of on the basis of this undertaking. No costs. Consequently, connected miscellaneous petition is closed.

mrn

Sd/-
Assistant Registrar (CS VI)

//True Copy//

Sub Assistant Registrar

To
1. The IV Assistant Judge,
City Civil Court,
Chennai.

+1cc to Mr.R.Thirugnanam, Advocate, S.R.No.26661

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Kak (22/03/2019)

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