

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:20.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

C.R.P.(NPD) No.2666 OF 2018

and

C.M.P.No.17589 of 2019

1.Syed Khaja Hassan

2.Mumtaz Banu

3.Jaffer Bai

... Petitioners

Vs.

S.Sivaraj

... Respondent

PRAYER : Civil Revision Petition filed under Section 25 of Tamil Nadu Building (Lease and Rent Control) Act, praying to set aside the fair and final order dated 31.10.2018 passed by the Rent Control Appellate Authority-cum-Subordinate Judge, Nilgiris, Udthagamandalam in R.C.A.No.2 of 2017 confirming the fair and final order dated 23.12.2016 passed by the Rent Controller-cum-District Munsiff, Nilgiris at Udthagamandalam.

For Petitioner

: Mr.L.Mouli

ORDER

The petitioners are the tenants. The petitioners suffered decree of eviction by the Courts below.

2. When the matter was taken up for admission, learned counsel for the petitioners submitted that the petitioners require little more time to hand over vacant possession and this Court directed the petitioners to file Affidavit of Undertaking.

3. Accordingly, the petitioners filed an Affidavit of Undertaking dated 16.08.2019. In the Affidavit of Undertaking, the petitioners sought six months time to vacate and hand over the vacant possession to the respondent / landlord, i.e. on or before 14.02.2020. The Affidavit of Undertaking produced by them is taken on file and shall form part of the records.

4. The respondent / landlord would vehemently oppose the grant of time. However, in order to strike a balance between parties, this Court is inclined to grant three months time to vacate and hand over vacant possession to respondent / landlord, without waiting for further orders from this Court. Further, as per the undertaking given by the petitioners, the petitioners are directed to vacate and hand over vacant possession to the respondent / landlord on or before 20.11.2019. In the meantime, the petitioners shall continue to pay rentals to the respondent / landlord without any default.

5. The Civil Revision Petition is disposed of with the above observation and direction. No costs.

20.08.2019

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Note: Issue order copy on 05.12.2019.

Index: Yes / No

Speaking order / Non speaking order

To

The Rent Control Appellate Authority-cum-

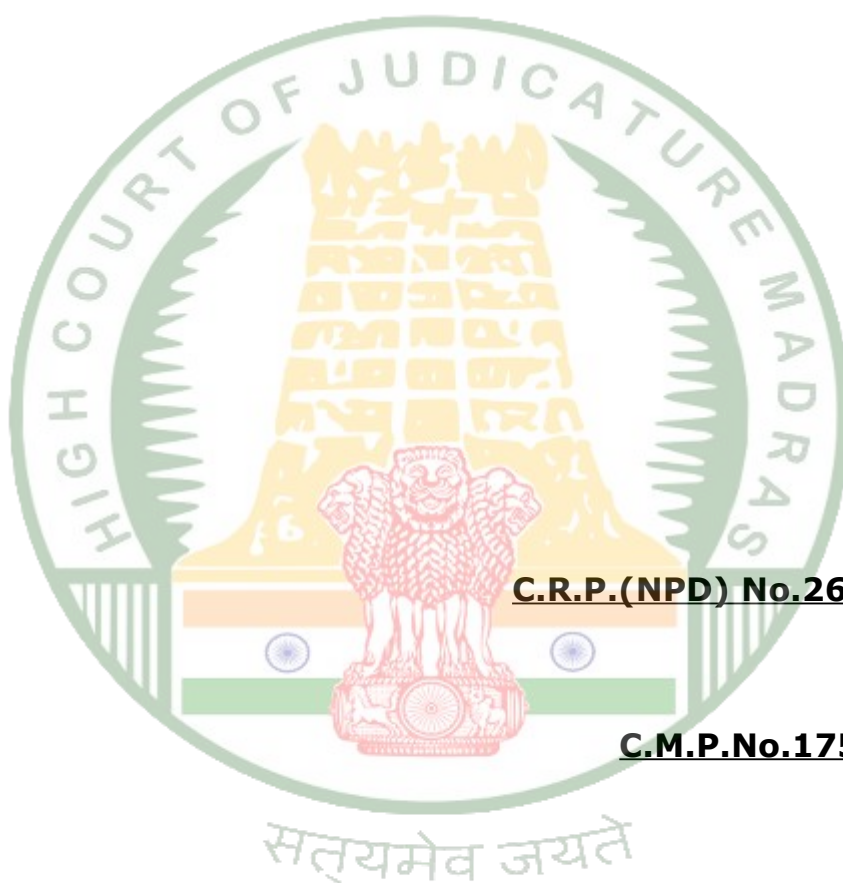
Subordinate Judge, Nilgiris, Udhagamandalam.



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M.GOVINDARAJ, J

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