

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2019

C O R A M

THE HONOURABLE MR.JUSTICE M. GOVINDARAJ

CRP (NPD) NO.1882 OF 2019
AND CMP NO.12370 OF 2019

S.Rajendran
Proprietor
Ceylon Hair Dresses
No.10, Kennet Lane,
Egmore, Chennai - 600 008.

... Petitioner

Vs.

1.M/s.Hotel Sri Durga Prasad
Rep. by its Managing Partner
Mr.K.Venkatramana Achar
10, Kennet Lane, Egmore,
Chennai - 600 008.

2.K.Venkataramana Achar
Partner
M/s.Hotel Sri Durga Prasad
10, Kennet Lane, Egmore,
Chennai - 600 008.

3.K.Vinod
4.K.Vijay

... Respondents

PRAYER: Civil Revision Petition filed under Section 25 of the Tamil Nadu Buildings (Lease and Rent Control) Act, 18 of 1960 as amended by Act 23

of 1973, against the judgment and decree dated 06.03.2019 passed in R.C.A.No.224 of 2016 on the file of the VIII Judge, Court of Small Causes, Chennai, confirming the order and decree passed in RCOP No.575 of 2014, dated 29.03.2016 on the file of the XI Judge, Court of Small Causes, Chennai.

For Petitioner : Mr.P.B.Ramanujam
For Respondents : Mr.K.Mani

ORDER

This Civil Revision Petition is directed against the concurrent findings of the Courts below by the petitioner / tenant.

2. When the matter was taken up for admission on 17.06.2019, learned counsel for the petitioner sought for sometime to vacate the premises and hand over vacant possession to the respondents/landlords. Such proposal has been accepted by the respondents/landlords. The petitioner/tenant has also filed an affidavit of undertaking dated 17.06.2019 to vacate and handover vacant possession to the respondents/landlords not later than 15.01.2020. The affidavit of undertaking dated 17.06.2019 reads as under:

"AFFIDAVIT OF S.RAJENDRAN

I, S.Rajendran, S/o.Sankaran, Hindu, aged 49 years, Proprietor of Ceylon Hair Dresses, carrying on business at No.10, Kennet Lane, Egmore, Chennai - 600 008, do hereby solemnly affirm and sincerely state as follows:

"1.I am the Revision Petitioner herein.

2.I respectfully state that the revision petition has been preferred against the order in RCA No.224 of 2016, which confirms the order passed in RCOP No.575 of 2014, filed for eviction on the ground of own use and occupation.

3.I hereby undertake to vacate and handover vacant possession of the petition premises on or before 15.01.2020 to the Respondents / Landlords, without driving them to execution proceedings. I also undertake to pay rents promptly and directly to the Respondent till I vacate and handover vacant possession, not later than 15.01.2020.

4.I further submit this affidavit of undertaking may

be recorded and suitable orders may be passed."

3. Recording the affidavit of undertaking dated 17.06.2019, this Civil Revision Petition is disposed of with a direction that the petitioner shall vacate and handover vacant possession of the petition premises to the respondents/landlords on or before 15.01.2020. The affidavit of undertaking dated 17.06.2019 shall form part and parcel of this order. No costs. Consequently, connected civil miscellaneous petition is closed.

19.06.2019

Index : Yes/No
Internet : Yes/No
TK

To

1.The VIII Judge
Court of Small Causes
Chennai.

2.The XI Judge
Court of Small Causes
Chennai.

M.GOVINDARAJ, J.

TK



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