

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2019

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

S.A.No.1189 of 2019
and
C.M.P.No.25998 of 2019

Fazalurehman ... Appellant/Appellant/Defendant

Vs

The Periyar Maniammai Institute of
Science and Technology,
Formerly known as Periyar Maniammai
Educational and Charitable Society,
Rep.by its President K.Veeramani.

... Respondent/Respondent/Plaintiff

Second Appeal filed under Section 100 of the Code of Civil Procedure to set aside the judgment and decree dated 25.6.2019 made in A.S.No.165 of 2018 on the file of the learned I Additional Judge, City Civil Court, Chennai confirming the judgment and decree dated 31.01.2017 made in O.S.No.4406 of 2011 on the file of the learned XVI Assistant Judge, City Civil Court, Chennai.

For Appellant : Mr.R.Abdul Mubeen
For Respondent : Mr.P.Gunaraj

JUDGMENT

The second appeal has been filed as against the judgment and decree passed in A.S.No.165 of 2018 confirming the judgment and decree of the Trial Court passed in O.S.No. 4406 of 2011.

2. Heard Mr.R.Abdul Mubeen, learned counsel for the appellant, Mr.P.Gunaraj, learned counsel for the respondent and perused the materials available on record.

3. It is represented by the learned counsel for the appellant that the appellant has given an undertaking to vacate and hand over the possession of the suit premises Shop Nos.22 & 25, Periyar Plaza No.1, Meeran Sahib Street, Door No.4, Wallers Road, Anna Salai, Chennai to the respondent on or before

01.07.2020. The learned counsel has also filed an affidavit of undertaking dated 19.12.2019, to that effect and the same is taken on file.

4. In the light of the above facts, the Second Appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

Ms

ENCL: Xerox Copy of Schedule and affidavit of undertaking

To

1.The I Additional Judge,
City Civil Court,
Chennai.

2.The XVI Assistant Judge,
City Civil Court,
Chennai.

3. The Section Officer,
VR Section, High Court,
Madras.

+1cc to Mr.R.Abdul Mubeen, Advocate, S.R.No. 105620

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VBA (CO)
GN(27/08/2020)

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