

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2019

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

C.R.P. (NPD) Nos. 3854, 3999 & 4356 of 2018

&

C.M.P.Nos.21457, 22169 of 2018 & 8007 of 2019

E.K.Ranjith

...Petitioner

in C.R.P.Nos.3854 & 3999 of 2018

M.Sridevi

...Petitioner

in C.R.P.No.4356 of 2018

Vs.

M.Sridevi

...Respondent

in C.R.P.Nos.3854 & 3999 of 2018

E.K.Ranjith

...Respondent

in C.R.P.No.4356 of 2018

Common Prayer: Civil Revision Petitions filed under Section 25 of TNB (L&RC) Act as amended by Act 23 of 1973 and Act 1 of 1980 filed to modify the judgment and decree dated 06.09.2018 made in R.C.A.No.783 & 784 of 2017 on the file of the VIII Judge, Court of Small Causes, Chennai and consequently to set aside the Fair and Decretal Order dated 25.10.2017 passed in R.C.O.P.No.456 & 514 of 2017 on the file of the Learned X Court of Small Causes, Chennai.

For Petitioner : D.Kumaralingam (in C.R.P.Nos.3854 & 3999 of 2018)
A.Palaniappan (in C.R.P.No.4356 of 2018)

For respondent : Mr.A.Palaniappan (in C.R.P.Nos.3584 & 3999 of 2018)
D.Kumaralingam (in C.R.P.No.4356 of 2018)

COMMON ORDER

In the above Civil Revision Petitions, the tenant, who is the revision petitioner, has filed an affidavit of undertaking, in which, he has undertaken to handover vacant possession of the demised premises within two months from today (22.04.2019) and had also no objection in the landlord withdrawing the sum of Rs.10,00,000/-, which is deposited to the credit of R.C.O.P.Nos.456, 514 of 2017, on the file of the X Small Causes Court, Chennai. In the affidavit of undertaking, he has stated that he may be permitted to withdraw the said sum.

2. The learned counsel on either side stated that the affidavit of undertaking may be modified to the extent of withdrawal of the sum of Rs.10,00,000/- by the landlord and not by the Revision Petitioner/tenant. Accordingly, the affidavit of undertaking shall stand modified to that extent. It is also made clear that the tenant shall not induct any other third parties into the premises. The said sum of Rs.10,00,000/- be withdrawn by the landlord towards full and fair rent. The landlord has also accepted to receive the said sum towards his claim, under the fair rent proceedings. The tenant shall pay the electricity consumption charges till the date of the handing over of possession and also two months rent, at the agreed rate. There should not be any subletting. On violation of anyone of the conditions, the landlord can straight away file Execution petition.

3. In the result, the Civil Revision Petitions stands disposed of on the above lines. No costs. Consequently, connected miscellaneous petitions are closed.

22.04.2019

Index: Yes/No
Internet: Yes/No
Speaking/Non Speaking
mrm/ssb

To

VIII Judge, Court of Small Causes, Chennai.



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P.T.ASHA,J.,

mrm/ssb



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