

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2020

CORAM :

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

C.R.P. (NPD) Nos.996 & 1003 of 2020

and

C.M.P.Nos.5422, 5490 and Caveat Nos.847 & 849 of 2020

1.V.Kuppusamy ... Petitioner in CRP.No.996/2020/
Respondent in RCOP.No.2413/13
2.Sridharan ... Petitioner in CRP.No.1003/2020/
Respondent in CRP.No.2412/2013
Tenant

Vs.

1.Uma [Died recorded vide order dated 23.02.2017]
2.V.Suganthi
3.M.Govindammal
[Died recorded vide order dated 14.07.2016]
... Respondent in CRP.Nos.996/2020 & 1003/2020/
Land Lord /Petitioner in RCOP.No.2413/13 &
RCOP.No.2412 of 2013

Prayer in CRP.No.996 of 2020: Civil Revision Petition filed Under Section 25 of Tamil Nadu Buildings (Lease and Rent Control) Act, 18 of 1960 amended as 23 of 1973, to set aside the judgment and decree dated 30.01.2020 passed in R.C.A.No.500 of 2016 passed by the learned IX Judge, Court of Small Causes, Chennai, confirming the order of eviction dated 17.09.2016 passed in RCOP.No.2413 of 2013 passed by the learned XIV Judge of Small Causes Court, Chennai.

Prayer in CRP.No.1003 of 2020: Civil Revision Petition filed Under Section 25 of Tamil Nadu Buildings (Lease and Rent Control) Act, 18 of 1960 amended as 23 of 1973, to set aside the judgment and decree dated 30.01.2020 passed in R.C.A.No.499 of 2016 passed by the learned IX Judge, Court of Small Causes, Chennai, confirming the order of eviction dated 17.09.2016 passed in RCOP.No.2412 of 2013 passed by the learned XIV Judge of Small Causes Court, Chennai.

For Petitioner : Mr.G.Veerapathiran
(in both CRPs)

For Respondents: Mr.J.Kamaraj for CAVEATOR
(in both CRPs)

COMMON ORDER

These Civil Revision Petitions have been filed by the petitioners seeking to set aside the judgment and decree dated 30.01.2020 passed in R.C.A.Nos.499 & 500 of 2016 passed by the learned IX Judge, Court of Small Causes, Chennai, confirming the order of eviction dated 17.09.2016 passed in RCOP.Nos.2412 & 2413 of 2013 passed by the learned XIV Judge of Small Causes Court, Chennai.

2. According to the learned counsel for the revision petitioners, when the matters came up for hearing before this Court on 09.03.2020, the matter was posted for filing an undertaking affidavit to grant sufficient time for vacating the demised properties, which belongs to the respondent/landlord. Based on the submission made by the learned counsel for the petitioner, the petitioners have filed an undertaking affidavit before this Court by seeking for a period of one year for vacating the premises.

3. Responding to this, the learned counsel for the respondent had strongly objected for granting such long period for vacating the premises and thereafter, negotiation has to be done between the learned counsel for the parties concerned, the petitioners/tenants have agreed to negotiate the same and also they assured before this Court to vacate from the petition premises within a period of 12 months, from today and subsequently, time is granted for a period of one year as requested by the petitioners/tenants.

4. Further, the respondent has also accepted the said proposal, both the parties have present before this Court and also agreed the aforesaid submission of the parties concerned to that extent. The petitioner has also filed an undertaking affidavit before this Court seeking for one year to vacate from the petition premises and handed over the possession to the respondent/landlord within a period of one year. Further, at the request of the petitioner that the respondent has to repay the advance amount of Rs.7,000/- in CRP.No.1003 of 2020 and Rs.5,000/- in CRP.No.996 of 2020 at time of vacating the said premises.

5. Recording the aforesaid undertaking affidavit shall also be a part of the record filed by the petitioners/tenants as well as the submission made by the learned counsel for the parties concerned and accordingly, both the Civil Revision Petitions are disposed of with the above-said compromise. No

costs. Consequently, connected Miscellaneous Petitions are closed.

-s/d-
Assistant Registrar

True Copy
Sub-Assistant Registrar

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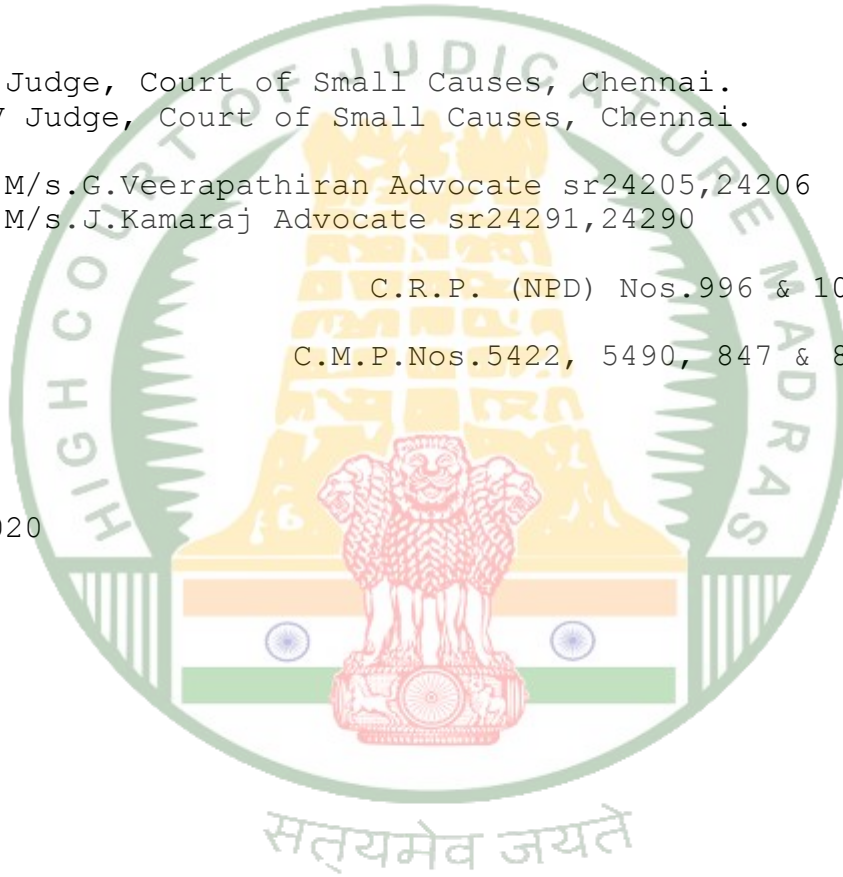
1. The IX Judge, Court of Small Causes, Chennai.
2. The XIV Judge, Court of Small Causes, Chennai.

+2 ccs to M/s.G.Veerapathiran Advocate sr24205,24206

+2 ccs to M/s.J.Kamaraj Advocate sr24291,24290

C.R.P. (NPD) Nos.996 & 1003 of 2020
and
C.M.P.Nos.5422, 5490, 847 & 849 of 2020

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