



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)**

**Wednesday, the Twenty Third day of December Two Thousand and Twenty
PRESENT**

**The Hon`ble Mr.Justice R.MAHADEVAN
SA(MD)No.609 of 2020**

WEB COPY

1.P.S.GANESAN

2.P.S.JEGADEESH

... Appellants/Appellants/Defendants

/ VERSUS /

1 ARULMIGU BALASIDHI VINAYAGAR KOVIL,
West Masi Street, Madurai.

2 Arulmighu Dandayuthapanisamy Kovil,
Madurai, represented by its
Administrative Officer,
Nethaji Road, Madurai. ...Respondents/Respondents /Plaintiffs

Second Appeal filed under Section 100 of C.P.C., against the judgment and decree of the II Additional Subordinate Judge, Madurai, dated 10.04.2019 passed in Appeal Suit No.64 of 2017, preferred against the judgment and decree of the court of the Principal District Munsif, Madurai Town, made in Original Suit No. O.S.No. 701 of 2012 dated 09.03.2017.

DECREE:- This Second Appeal coming upon for hearing on this day, upon perusing the the Grounds of Appeal and the judgments and decrees of the Appellate Court and the Court of First Instance and the undertaking affidavit filed by the Appellants herein and upon hearing the arguments of MR.S.SRINIVASA RAGHAVAN, Advocate for the Appellants and MR.S.MANO HAR, ADVOCATE FOR THE 2nd RESPONDENT and in pursuance of the undertaking affidavit filed by the Appellants herein stating that there is no arrears of rent due or payable by the Appellants to the Respondents herein till date, and that the Respondents have not so far come and collect the rent for the month of November 2020 as they do every month, this Court while disposing the Second Appeal by recording the said undertaking affidavit in Original which is annexed herewith doth order and decree as follows:-

(1) That, the Appellants herein be and hereby undertake jointly to completely vacate the suit property on or before 31.08.2021 by removing whatever machineries, apparatus and instruments belonging to the Appellants/Appellants/Defendants and to hand over the vacant possession of suit property to the Respondents/Respondents/Plaintiffs within the said period of time and



(2) that there be no costs in this Appeal.

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// True Copy //

Sd/-

Assistant Registrar (CS-II)

/ /2021

Sub Assistant Registrar(CS)

Encl: Xerox copy of hte undertaking dated 21.12.2020

TO

1. The II Additional Subordinate Judge, Madurai.
2. The Principal District Munsif, Madurai Town.

Copy to:

The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 CC to Mr.S.Srinivasa Raghavan, Advocate (SR 27164)

ORDER DATED : 23/12/2020

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DECREE

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SA(MD)No.609 of 2020

Nature of Decree:- Dismissing the Appeal preferred against the judgment and decree of the II Additional Subordinate Judge, Madurai, dated 10.04.2019 made in Appeal Suit No.64 of 2017, preferred against the judgment and decree of the court of the Principal District Munsif, Madurai Town, made in Original Suit No. O.S.No. 701 of 2012 dated 09.03.2017 and etc. as stated within.