



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

Monday, the Tenth day of February Two Thousand and Twenty
PRESENT

The Hon`ble Mrs.Justice R.THARANI

C.R.P. (MD) . No.1596 of 2019

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A.Madasamy, :Petitioner/ Appellant/Petitioner/Tenant

Vs

1.Kaja (Exonerated)

2.Mydeen

:Respondent/Respondent/Respondents/Landlord

Prayer:-

This Civil Revision petition filed under Section 25 of the Tamil Nadu Buildings (Lease and Rent Control) Act, 23/1973, against the fair and decreetal order dated 03/01/2019 passed in R.C.A. No.21 of 2017 on the file of the Rent Control Appellate Court, Subordinate Judge, Thoothukudi confirming the fair and decreetal order dated 31/01/2013 passed in R.C.O.P. No. 17 of 2012 on the file of the Rent Controller/ Principal District Munsif, Thoothukudi.

DECREE:- This Civil Revision petition coming on for hearing on this day in the presence of Mr. M.P. Senthil, Advocate for the Petitioner and Mr. S. Ravi, Advocate for the second respondent and the parties herein having settled their differences and entered into a joint compromise dated 10.02.2020 between themselves and through their respective counsels and having filed the Memo of Compromise duly signed by the parties as well as by their Advocates, and upon perusing the grounds of appeal, the fair and decreetal order of the Subordinate Judge, Thoothukudi, and the material records and the joint memo of compromise, and in pursuance to the said joint compromise memo, this Court while recording the said joint memo of compromise, the copy of which is annexed herewith, and disposing of the Civil Revision petition doth order and decree as follows:

1. That the Petitioner agrees and undertakes to vacate the petition schedule building which is the subject matter of the above revision as well as R.C.O.P. Nos. 26 of 2013 & 17 of 2012 on the file of the Rent Controller/ Principal District Munsif, Thoothukudi within a period of one year i.e., on or before 09.02.2021 without fail.
2. That the petitioner agrees and undertakes that he shall hand over the keys of the petition schedule building directly to the respondent, without driving the respondent being the landlord in order to resort to the execution proceedings to take possession of the property;



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3. That the petitioner has been clearly apprised of the fact that he shall abide by the terms of the compromise especially in vacating the Suit schedule building on or before 09/02/2021 and in case of failure on his part, petitioner will be held liable for violating the undertaking granted herein under the Contempt of Courts Act;
4. That the petitioner agrees and undertakes that he will continue to pay a sum of Rs.1,300/- directly to the respondent/ landlord as rent till the petitioner vacate the schedule building ie., 09/02/2021 without fail. The rental deposit laying on the credit of R.C.O.P. No. 17 of 2012 is hereby agreed to be withdrawn by the landlord/ Kalilul Rahman and the advance of Rs.25,000/- to be repaid to Tenant/Madasamy;
5. That the both parties entered the above compromise on their own volition without any coercion whatsoever and both the parties undertake to abide by the terms of the compromise without any deviation: and
6. That there be no costs in this Civil Revision petition.

தபசில்

தூத்துக்குடி டவுண், கதவு நிர.154 தெற்கு சம்மந்தமுர்த்தி தெருவில் உள்ள குடியிருப்பு அல்லாத கட்டிடம்.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TO

1. The Subordinate Judge, Thoothukudi,
2. The Principal District Munsif, Thoothukudi.

Copy to:

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

+1 CC to Mr.M.P. Senthil, Advocate in Sr. No.5552.



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ORDER DATED : 10.02.2020

D E C R E E

C.R.P (NPD) (MD) No.1596 OF 2019

Disposing of the Civil Revision Petition in terms of a Joint Memo of Compromise entered into on 10.02.2020 against the fair and decreetal order dated 03/01/2019 passed in R.C.A. No.21 of 2017 on the file of the Rent Contral Appellate Court, Subordinate Judge, Thoothukudi confirming the fair and decreertal order dated 31/01/2013 passed in R.C.O.P. No. 17 of 2012 on the file of the Rent Controller/ Principal District Munsif, Thoothukudi etc as stated with in.

MK (18.03.2020) 3P 6C