



WEB COPY

C.R.P. (NPD) .Nos.1253 & 1254 of 2016



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P.(NPD).Nos.1253 & 1254 of 2016

and

C.M.P.No.17240 of 2016

1.Maqbool Ahmed (died)

(3rd petitioner as LR's of the deceased 1st petitioner as per memo dated 06.09.2021 in C.S.R.Nos.26382 & 26381 of 2021 vide order of this Court dated 09.09.2021)

2.Qhamunnisa Begam

3.Fathima Begam @ Fathima Yacub

4.Azeez Ahmed (deceased)

5.Malick Mehar

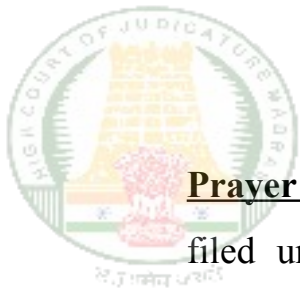
.. Petitioners
(in both cases)

(5th petitioner brought on record as LR's of the deceased 4th petitioner vide order of this Court dated 18.03.2016 in C.M.P.Nos.2550 & 2548 of 2016 in C.R.P.SR.Nos.32649 & 19668 of 2015 respectively)

Vs.

A.Rajender Kumar Gupta

.. Respondent
(in both cases)



Prayer in C.R.P.(NPD).No.1253 of 2016: This Civil Revision Petition is filed under Section 25(1) of the Tamil Nadu Buildings (Lease & Rent Control) Act, 1960, against the judgment and decree dated 20.01.2015 made in R.C.A.No.346 of 2014 passed by the learned Rent Control Appellate Authority-cum-IX Judge, Court of Small Causes, Chennai, revising the order and decree dated 28.03.2014 made in R.C.O.P.No.1789 of 2008 passed by the learned Rent Controller-cum-XI Judge, Court of Small Causes, Chennai.

Prayer in C.R.P.(NPD).No.1254 of 2016: This Civil Revision Petition is filed under Section 25(1) of the Tamil Nadu Buildings (Lease & Rent Control) Act, 1960, against the judgment and decree dated 27.10.2014 passed by the Learned VII Judge-Cum-Rent Control Appellate Authority, Small Causes Court, Chennai, made in R.C.A.No.808 of 2008 confirming the order and decree made in R.C.O.P.No.84 of 2007 dated 06.12.2007 passed by the Learned Rent Controller-cum-XV Judge, Small Causes Court, Chennai.

In both cases:

For Petitioners : Mr.S.Ganesh
for Mr.M.Mohammed Rafi

For Respondent : Mr.K.M.D.Muhilan
for Mr.R.Parthasarathy

COMMON ORDER

(The matter is heard through “Video Conferencing/Hybrid Mode”).

After several discussions, the parties have settled the matter. The respondent agreed to pay a sum of Rs.26,00,000/- (Rupees Twenty Six Lakhs



Only) in six instalments and hand over the possession of the petition premises immediately to the petitioners and he also filed an affidavit to that effect. In the affidavit, the date of fourth instalment is wrongly typed as 25.01.2021 instead of 25.01.2022.

2.The learned counsel appearing for the respondent submitted that today, i.e., 02.11.2021, they will pay a sum of Rs.5,00,000/- (Rupees Five Lakhs Only) as first instalment and due to typographical error, the date of fourth instalment was mentioned as 25.01.2021 instead of 25.01.2022. The fourth instalment will be paid on 25.01.2022. He further submitted that the petitioners have agreed for the said payment. The learned counsel appearing for the respondent further submitted that if the petitioners are ready to take possession, tomorrow they will hand over the possession and also submitted that the learned counsel appearing for the petitioners will furnish the Bank details of the petitioners.

3.Recording the undertaking given by the respondent in the affidavit and acceptance of terms of undertaking by the petitioners, both the Civil Revision Petitions are closed. The date of fourth instalment is 25.01.2022.



The affidavit of undertaking shall form part of this order. Consequently, the connected Miscellaneous Petitions are closed. No costs.

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Index : Yes / No
Internet : Yes / No

To

- 1.The learned Rent Control Appellate Authority cum IX Judge,
Court of Small Causes,
Chennai.
- 2.The learned Rent Controller cum XI Judge,
Court of Small Causes,
Chennai.
- 3.The learned Rent Control Appellate Authority cum VII Judge,
Small Causes Court,
Chennai.
- 4.The learned Rent Controller cum XV Judge,
Small Causes Court,
Chennai.



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V.M.VELUMANI, J.
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