



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Tuesday, the Twenty Third day of November Two Thousand Twenty One

PRESENT

THE HON`BLE MR.JUSTICE S.S.SUNDAR

CMP.NO.17604 OF 2021

IN CRP(NPD).NO.1120 OF 2019

1 PUNJAB NATIONAL BANK [PETITIONERS]
HEAD OFFICE AT NO.7, BHIKAJI CAMA PLACE,
NEW DELHI.

2 PUNJAB NATIONAL BANK
AVADI BRANCH, NO.402, M.T.H.ROAD,
JK COMPLEX, AVADI, CHENNAI 600054.

Vs

MRS.J.AMSAVENI [RESPONDENT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant time by One Year, to the petitioners herein, to vacate from the Petition building at No.402, M.T.H.Road (presently known as CTH Road), J.K.Complex, Avadi, Chennai 600054, and hand over vacant possession of the same to the Respondent herein, pursuant to the Order dated 12.07.2021 passed by this Hon'ble Court in the above C.R.P. (NPD) No.1120 of 2019. (In CMP.NO.17604/2021)

Order : This petition coming on this day for hearing upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of M/S.A.MOHAN DOSS, Advocate for the petitioner and of MR.V.SRINIVASA BABU, Advocate for MR.K.SAISHARAVAN KUMAR, Advocate for the Respondent, the court made the following order:-

- (1) The above Civil Revision Petition along with CRP.Nos.1122 & 1123/2019 was disposed of by this Court on 12.07.2021 confirming eviction and the present Civil Miscellaneous Petition is filed by the petitioners seeking extension of time to vacate the petition building at No.402, MTH Road, [presently known at CTH Road], J.KComplex, Avadi, Chennai-600 054.



- (2) Today, a Joint Memo dated 23.11.2021 is filed by the petitioner and the respondent. The said Joint Memo is signed by the respective parties along with the learned counsels appearing for them.
- (3) The learned counsels appearing on either side submitted that the present Civil Miscellaneous Petition can be disposed of in terms of the Joint Memo filed.
- (4) The contents of the Joint Memo dated 23.11.2021 is extracted for the sake of convenience:-

'JOINT MEMO FILED BY THE PETITIONERS AND RESPONDENT'

The parties hereto submit as follows:-

1. The petitioners herein are Tenants under the Respondent herein, in respect of the premises bearing No.402, MTH Road, [presently known as CTH Road], J.K.Complex, Avadi, Chennai 600 054.
2. The above Civil Revision Petition was filed by the petitioners herein under Section 25 of the Tamil Nadu Buildings [Lease and Rent Control] Act, 1960, against the Fair Order and Decree dated 28.11.2018 passed by the learned Subordinate Judge, Poonamallee, in RCA.No.28 of 2017, ordering eviction.
3. The above CRP was dismissed by this Hon'ble Court by final order dated 12.07.2021.
4. The petitioners herein have filed the above CMP.No.17604/2021, seeking time to hand over vacant possession of the petition building.
5. The parties hereto have arrived at a consensus and have reduced the same into writing in this Joint Memo, as follows:-
 - A) The petitioners shall vacate and handover vacant possession of the petition building to the respondent/landlady on or before 30.04.2022 [Thirty April Two Thousand and Twenty Two].
 - B) The petitioners shall remit to the Income Tax Department to the account of the respondent/landlady a sum of Rs.11,09,658/- [Rupees Eleven Lakhs Nine Thousand Six Hundred and Fifty Eight only] being arrears in the difference between Fair Rent and Contractual Rent up to November 2021, on or before 30.11.2021.
 - C) The petitioners shall remit to the Income Tax Department to the account of the respondent/landlady a sum of Rs.44,426/- [Rupees Forty Four Thousand Four hundred and Twenty Six only] per month for the months from December 2021 to April 2022, on or before the last day of the respective month, regularly without any delay or default.



D) The parties hereto agree that this Hon'ble Court may be pleased to pass an Order in the above C.M.P.No.17604/2021, on the terms agreed hereto by the parties.''

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(5) In terms of the Joint Memo and the undertaking given by the petitioners, the following directions are issued:-

(a) The petitioners shall vacate and hand over the vacant possession of the building to the respondent/landlady **on or before 30.04.2022.**

(b) The petitioners shall also remit the Income Tax Department to the account of the respondent, a sum of Rs.11,09,658/- being arrears in the difference between the fair rent and contractual rent upto November, 2021, **on or before 30.11.2021.**

(c) The petitioners shall also remit the Income Tax Department, to the account of the respondent, a sum of Rs.44,426/- per month from December 2021 to April 2022 **on or before the last day of respective month regularly without any delay or default.**

(6) The Civil Miscellaneous Petition is ordered accordingly.

-sd/-

23/11/2021

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE SUBORDINATE JUDGE,
POONAMALLE.

2 THE PRINCIPAL DISTRICT MUNSIF,
RENT CONTORLLER, POONAMALLE.

Order
in
CMP.NO.17604 OF 2021

IN CRP(NPD).NO.1120 OF 2019

Date :23/11/2021

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