

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2021

Coram

The Hon'ble Mr. Justice **C.V.KARTHIKEYAN**

C.R.P.No.4030 of 2019
and
C.M.P.No.9534 of 2021

M.Karthikeyan Senthil

... Petitioner / Appellant / Respondent / Tenant

Vs

V.Srinivasa Kumar

... Respondent / Respondent / Petitioner / Landlord

Civil Revision Petition filed under Section 25 of Tamil Nadu Buildings (Lease and Rent Control) Act 1960 to set aside the Fair and Decreetal order dated 25.09.2019 passed by the learned Subordinate Judge cum Rent Control Appellate Authority, Gobichettipalayam in RCA.no.1 of 2017 confirming the fair and final order dated 30.06.2017 passed by the learned District Munsif cum Rent Controller, Gobichettipalayam in RCOP No.1 of 2014.

For Petitioner

.. Mr.L.Mouli

For Respondent

.. Mr.N.Manokaran

ORDER

The scope of the Revision Petition which had been filed by the tenant who is in occupation of an area measuring about 66 Sq.ft., by running a shop under the name “Sushila Agency” as a tenant under the respondent is quite narrow.

2.As a matter of fact, the Revision Petitioner had undertaken to vacate the premises and from a perusal of the earlier orders, it is seen that he had been undertaken to vacate the premises on 03.01.2021 and has still not vacated the premises. It is complained by Mr.N.Manokaran, learned counsel for the respondent that there were rental arrears from November 2016 to September 2018.

3.However, in the affidavit now presented before the Court, it had been stated by the revision petitioner that he would paying a sum of Rs.3,500/- per month as rent without any default. It is open to the respondent, if there are arrears of rent, to recover it in manner known to law.

4.In the affidavit dated 07.07.2021, the Revision Petitioner had stated that he would vacate the premise on or before 28.09.2021 and handover the keys to the respondent herein. This undertaking would bind not only the affiant, but also anybody else who are having either direct or

“Sushila Agency”.

5.The respondent is also at liberty to take steps in accordance with law, if the petitioner herein does not vacate on or before 28.09.2021. I am however confident that such a situation would not arise in view of the affidavit filed before this Court.

6.It is specifically stated that no further extension of time to vacate the premises will be granted, in view of the fact that the tenant had undertaken that he would vacate by 03.01.2021 and he has stayed as an uninvited guest / unwanted tenant from 03.01.2021 and his period now extended till 28.09.2021.

7.With the above observations, the Civil Revision Petition is disposed of recording the affidavit. No costs. Consequently, the connected Civil Miscellaneous Petition is closed.

12.07.2021

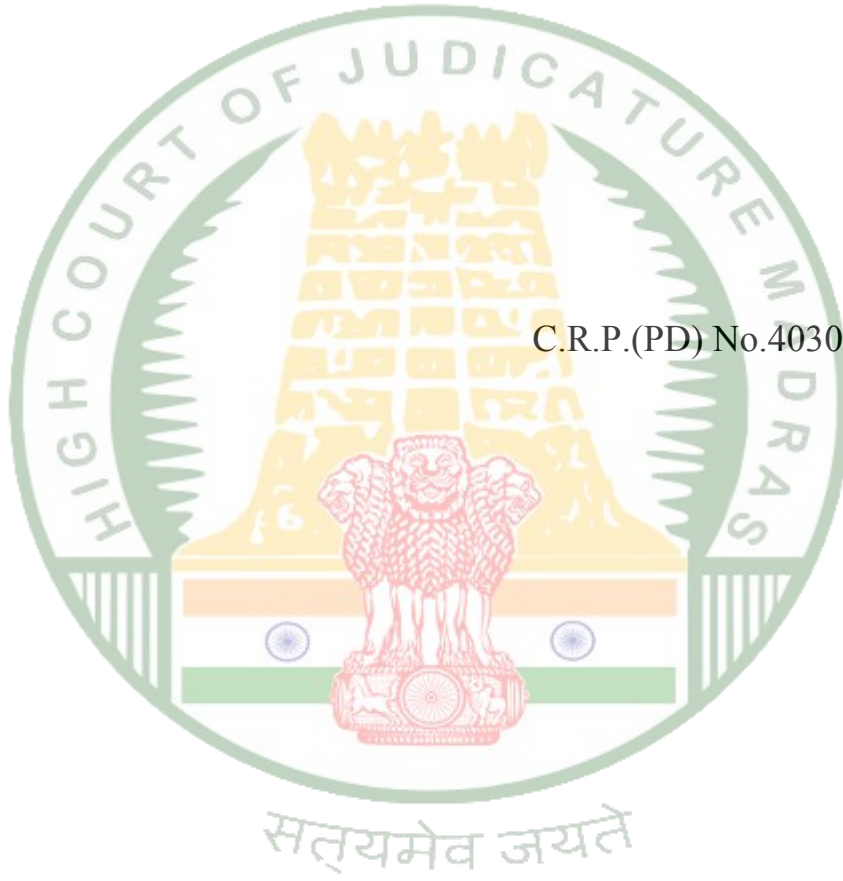
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Index : Yes / No
Internet : Yes / No
Speaking order : Yes / No

To:-

- 1.The Subordinate Court, Gopichettipalayam.
- 2.The District Munsif Court, Gopichettipalayam.

C.V.KARTHIKEYAN,J.

smv



C.R.P.(PD) No.4030 of 2019

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