

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2021

CORAM :

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

C.R.P (NPD).No.3531 of 2018

and

C.M.P.No.19772 of 2018

1.M/s.Modern Distributing Company.

2.K.Sriram

... Petitioners

Versus

K.K.Ashok

... Respondent

Civil Revision Petition filed under Section 25 of the Tamil Nadu Buildings ((Lease and Rent Control), Act 18/1960 as amended), to set aside the order dated 04.08.2018 passed by the learned VII Judge Court of Small Cause at Chennai, RCA.No.661 of 2014 confirming order passed by the learned XIV Judge, Court of Small Cause Chennai, in RCOP.No.837 of 2011, dated 26.08.2014.

For Petitioners : Mr.Balasubramanian M.

For Respondent : Mr.K.P.Ashok

ORDER

This Civil Revision Petition has been filed challenging the order

dated 04.08.2018 passed by the learned VIII Judge, Small Causes Court, at

Chennai, in RCA.No.661 of 2014, confirming the order passed by the learned XIV Judge, Court of Small Causes, Chennai, in RCOP.No.837 of 2011, dated 26.08.2014.

2.Heard the learned counsel for the petitioners and the learned counsel appearing for the respondent and perused the materials available on record.

3.The matter was argued at length by the learned counsel for the petitioners. The learned counsel for the petitioners during the course of arguments made a suggestion that, if six months' time is provided, then his client is ready to vacate the premises. Though the respondent made a strong objection, subsequently, he accepted for six months, but he submitted that an affidavit of undertaking may be directed to file by the revision petitioners.

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4.Accordingly, the revision petitioners were directed to file an affidavit of undertaking. An affidavit of undertaking dated 08.03.2021 was filed, to vacate the premises on or before 04.09.2021.

5.The said affidavit of undertaking is hereby recorded. In view of the above undertaking, the petitioners are directed to vacate the premises on or before 04.09.2021.

6.With regard to the payment of rent, the learned counsel for the respondent submitted that the respondent has filed a separate application for the recovery of rent in accordance with law. Therefore, he can proceed with the said proceedings and disposal of this civil revision petition will no way prevent the respondent herein to continue the said proceedings.

7.The above said undertaking dated 08.03.2021 shall form a part of the decree. Accordingly, the Civil Revision Petition is disposed of. No costs. Consequently, the connection miscellaneous petition is closed.

8.Post the matter "for reporting compliance" on 09.09.2021.

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Index: Yes/No
Internet: Yes/No
Speaking Order/Non Speaking Order

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KRISHNAN RAMASAMY, J.

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To

- 1.The VIII Judge, Small Causes Court, Chennai.
- 2.The XIV Judge, Small Causes Court, Chennai.
- 3.The Section Officer, V.R. Section, High Court, Madras.



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