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C.R.P.No.527 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.527 of 2022

and

C.M.P.No.2784 of 2022

P.Senthur Raja

... Petitioner

VS

S.Peter

... Respondent

Prayer: Civil Revision Petition is filed under Section 25 of the Tamil Nadu Buildings Lease and Rent Control Act, 1960, praying to set aside the Judgement and Decree passed in R.C.A.No.358 of 2019 dated 03.12.2021 on the file of the VII Small Causes Court (Appellate Authority) at Chennai in confirming the Fair and Decretal Order passed in R.C.O.P.No.772 of 2017 dated 17.09.2019 on the file of the X Small Causes Court at Chennai by allowing the present Civil Revision Petition.

For Petitioner : Mr.C.S.Srinivasan

For Respondent : Mr.P.B.Balaji



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ORDER

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The Civil Revision Petition is filed challenging the order passed by the X Small Causes Court, Chennai in R.C.O.P.No.772 of 2017, dated 17.09.2019 allowing the eviction petition filed by the respondent on the ground of willful default and confirmed by the VII Small Causes Court (Appellate Authority), Chennai in R.C.A.No.358 of 2019 dated 03.12.2021.

2. When the matter is taken up for hearing, the learned counsel appearing for the revision petitioner submitted that his client is ready to vacate premises and handover the possession on or before 30.06.2023. He also prayed for time to file undertaking affidavit to that effect. The learned counsel submits that undertaking affidavit to the effect that the petitioner would handover the vacant possession of the demised premises to the respondent/landlord on or before 30.06.2023 without dragging the respondent to execution proceedings will be filed by the respondent, tomorrow.

3. Recording the said statement, the Civil Revision Petition is



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dismissed. The petitioner is granted time till 05.12.2022 to file an undertaking affidavit to that effect. On filing of such undertaking affidavit, the execution of eviction order against him remain suspended till 30.06.2023. If he fails to file undertaking affidavit on or before 05.12.2022, it is open to the respondent to proceed with the execution of the eviction order immediately. No costs. Consequently, the connected civil miscellaneous petition is closed.

01.12.2022

Index : Yes / No

Speaking Order : Yes / No

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To

1.The VII Small Causes Court (Appellate Authority),
Chennai.

2.The X Small Causes Court,
Chennai.



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S.SOUNTHAR, J.

dm

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