



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2022

CORAM

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM**

C.R.P.No.3330 of 2022 and  
C.M.P.No.17703 of 2022

Govindasamy (died)

1. Radha

2. Ramesh

3. Krishnan

.. Petitioners

VS

D.V.D.S.Venku Sah (died)

V.Vanajabai Rep. by her Power of Attorney

D.S.B.Balaji Sah

.. Respondent

Prayer: Petition filed under Section 25(1) of the Tamil Nadu Buildings (Lease and Rent Control) Act, 1960 praying to set aside the decree and judgment made in R.C.A.No.3 of 2016 on the file of the Rent Control Appellant Authority / Principal Sub-Ordinate Judge, Kanchipuram, Kanchipuram District dated 17.03.2021 and the order and decree in R.C.O.P.No.18 of 2003 on the file of the Rent Controller, Kanchipuram, Kanchipuram District dated 20.08.2014 and thereby allow the above civil revision petition.



For Petitioner : Mr.S.Vijayakumar

For Respondents : Ms.N.Nagu Sah

ORDER

The revision petition is filed challenging the decree and judgment passed in R.C.A.No.3 of 2016 dated 17.03.2021, confirming the order and decree passed in R.C.O.P.No.18 of 2003 dated 20.08.2014.

2. The revision petitioners are tenants and the respondent landlord instituted Rent Control proceedings for eviction of the revision petitioners. The Rent Court allowed the petition and ordered for eviction. The revision petitioners preferred R.C.A.No.3 of 2016, which was dismissed by the Appellate Court. Thus, the present revision petition has been filed.

3. During the course of the arguments, learned counsel for the petitioner also made a submission that the revision petitioners are ready and are willing to evict the premises and handover the possession to the respondent landlord. In this regard, the revision petitioners filed an affidavit today i.e., 23.12.2022, which reads as follows:



*“3. I humbly submit that, during pendency of this revision myself and my family members decided to vacate the premises and hereby undertake to vacate the premises on or before 31.03.2023 and handover the vacant land to the respondent.*

*I therefore pray that this Hon'ble Court may be pleased to record my undertaking and close this Civil Revision Petition on the above terms and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thereby render justice.”*

4. In view of the undertaking given by the revision petitioners, that they will vacate the premises and handover the vacant premises on or before 31.03.2023 to the respondent landlord, no further adjudication is required and accordingly, the revision petitioners are directed to comply with the undertaking.

5. Accordingly, the civil revision petition is disposed of. There will be no order as to costs. Consequently, connected miscellaneous petition is closed.

Index : Yes  
Speaking order  
drm

**23.12.2022**



C.R.P.No.3330 of 2



To

1. The Principal Sub-Ordinate Judge, Kanchipuram  
Kanchipuram District.
2. The Rent Controller, Kanchipuram  
Kanchipuram District.



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**S.M.SUBRAMANIAM, J.**

(drm)

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