



CRP.No.3329 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2022

CORAM:

THE HONOURABLE Mr. JUSTICE S.SOUNTHAR

C.R.P.No.3329 of 2022

and

C.M.P.No.17655 of 2022

N.Boopathy

... Petitioner

Vs.

S.Saranya

... Respondent

PRAYER: Civil Revision Petition under Article 227 of the Constitution of India, to set aside the order, by which, petition for extension of six months time to vacate the rental portion came to be allowed in part, by which, time extended only for 20 days, passed in E.A.No.3 of 2022 in E.P.No.221 of 2022 in R.L.T.O.P.No.449 of 2020 by the learned XV Small Causes Judge, Chennai, vide order dated 20.09.2022 and set aside the same.

For Petitioner : Mr.S.S.Kumar

For Respondent : Mr.M.Saravanakumar

ORDER

The learned counsel for the petitioner filed an undertaking affidavit dated 02.11.2022 wherein he submitted that he is ready to vacate the demised premises on



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or before 02.04.2023 and handover the vacant possession to the respondent. The said undertaking affidavit is recorded.

2. The learned counsel for the respondent submitted that as on today, there is arrears of rent to the tune of Rs.4,76,000/- and the petitioner may be directed to pay the amount. In the affidavit filed by the petitioner dated 02.11.2022, stated that he is ready to pay a sum of Rs.70,000/- to the respondent on or before 25.11.2022.

3. In the facts and circumstances of the case, this Court is inclined to grant time to the petitioner to vacate the demised premises and hand over possession to the respondent on or before 02.04.2023 on following conditions:

- 1.The petitioner shall pay a sum of Rs.70,000/- to the respondent on or before 25.11.2022.
2. The petitioner shall pay a further sum of Rs.1.00 lakh to the respondent on or before 31.01.2023.
3. The balance of amount of Rs.3,06,000/- shall be paid by the petitioner to the respondent on or before 31.03.2023.

4. In case the petitioner failed to comply with any of the conditions mentioned



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above, the order passed by this Court granting time to vacate the demised premises

till 02.04.2023 stands automatically vacated without any further reference to this

Court. In such case the respondent is at liberty to proceed with the execution

proceedings. Accordingly, this Civil Revision Petition is disposed. No costs.

Connected Civil Miscellaneous Petition is closed.

02.11.2022

Index: Yes/ No

Speaking Order / Non-Speaking Order

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To

1. The learned XV Small Causes Judge,
Chennai.



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S.SOUNTHAR, J.

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