



CMP No.17651 of 2023 in CRP No.2856 of 2019

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V.LAKSHMINARAYANAN,J.,

Learned counsel Mr.M.Kempuraj would state that he was unable to hand over possession of the property within the time granted by this Court on account of the fact that alternate premises, which his client had identified, has collapsed.

2. In order to substantiate the same, he has furnished photographs, which show that the building, which is in Armenian Street, has collapsed. Therefore, he seeks to extend the time for a further period of six months from 05.08.2023.

3. Mr.L.Rajasekarn learned counsel appearing for the landlord would state that a sum of Rs.22,90,600/- is still due and liable to be paid by tenant for the property in occupation. He would state that if time is extended without payment of amount, serious prejudice would be caused to the landlord.

4. Taking into consideration the unfortunate incident of the collapse of the building, I am inclined to grant six months time on the following conditions:-

- a) The tenant shall pay a sum of Rs.11,45,300/-(Rupees Eleven lakhs forty five thousand three hundred only), being 50% of the arrears on or before 31.08.2023;



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sr

(b) The tenant shall pay the remaining amount of Rs.11,45,300/- in two equal monthly instalments on or before 30.09.2023 and 31.10.2023.

c) The tenant shall continue to pay the fair rent fixed as Rs.35,192/- as long as he is in occupation of the premises.

d) In case of breach of any one of the conditions, CMP No.17651 of 2023 shall stand automatically dismissed without any further reference to the Court and the landlord will be entitled to proceed for eviction.

With the above condition CMP No.17651 of 2023 is allowed.

14.08.2023

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