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C.R.P(NPD).No.4176 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2023

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

C.R.P(NPD). No.4176 of 2023
and CMP.No.25439 of 2023

M/s.Freeze Line,
Rep. By its Proprietor,
M.Mahesh,
S/o.Mr.V.Muthu
No.7, Anna Garden,
Velacherry Main Road,
Chennai – 600 042.

. . . Petitioner

Vs

R.K.Arumozhi
S/o.Mr.R.Karunakaran,
No.27, Chettinadu Green Vista,
Sundaram Street,
Ambal Nagar,
Pallikaranai, Chennai – 600 100.

..Respondent

Prayer : Civil Revision Petition filed under Article 227 of Constitution of India, praying to set aside the order dated 31.08.2023 made in R.L.T.A.No.61 of 2023 on the file of XXIII Additional City Civil Court, Chennai, confirming the fair order and decree passed dated 16.11.2022 in RLTOP.No.727 of 2021 on the file of XI Small Causes Court, Chennai and to allow this Civil Revision Petition.



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For Petitioner : Mr.G.Veerapathiran
For Respondent : Mr.B.Manimaran, Caveator

ORDER

Challenging the order dated 31.08.2023 passed by the learned XXIII Additional City Civil Court, Chennai, in RLTA No.61 of 2023, the tenant has preferred this Civil Revision Petition.

2. Originally RLTOP No.727 of 2021 was filed by the respondent/landlord for repossession of the tenanted premises on the ground that the revision petitioner/tenant failed to execute a new rental agreement and parted with unlawful possession without written consent. The said RLTOP was allowed. Challenging the order passed by the trial Court, the tenant has preferred RLTA No.61 of 2023 on the file of the learned XXIII Additional Judge, City Civil Court, Chennai. On hearing both sides, the Appellate Authority dismissed the appeal, confirming the findings of the Rent Controller.

3. Challenging the concurrent findings of the Courts below, the tenant



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has preferred this Civil Revision Petition.

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4. When the matter is taken up for hearing, the learned counsel for the revision petitioner submitted that the petitioner has filed undertaking of affidavit stating that he will vacate and handed over the vacant possession of the premises to the respondent/landlord within seven months i.e.,30.06.2024 and also he will pay the rent a sum of Rs.7,200/- per month regularly without fail till the vacate the premises.

5. Heard the learned counsel appearing for the respondent.

6. Considering the affidavit of undertaking filed by the revision petitioner, this Court directs the revision petitioner to vacate and handover the premises to the respondent on or before 30.06.2024 failing which, the respondent/landlord is entitled to execute the order, till 30.06.2024 pay rent by the petitioner.

7. Accordingly, this Civil Revision Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

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Internet : Yes/No



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T.V.THAMILSELVI, J.

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To

1. The learned XXIII Additional City Civil Court, Chennai.

2.The learned XIth Small Causes Court, Chennai.

3. The Section Officer,
VR Section,
High Court of Madras.

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