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C.R.P.No.4381 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

C.R.P.No.4381 of 2022

and

C.M.P.No.23211 of 2022

M.Swaminathan

... Petitioner

Vs.

Mr.Umasankar Perumalsamy

... Respondent

Prayer: Civil Revision Petition is filed under Section 115 of Civil Procedure Code, to set aside the order dated 23.12.2022 made in E.P.No.118 of 2019 in R.C.O.P.No.48 of 2018 on the file of the Principal District Munsif Court at Alandur.

For Petitioner

: Mr.R.Vijaya Kumar

For Mr.A.Rajaperumal

ORDER

The Civil Revision Petition has been filed against the order dated 23.12.2022 passed in E.P.No.118 of 2019 in R.C.O.P.No.48 of 2018.



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2. When the civil revision petition was taken up for admission, the learned counsel for the petitioner made a submission that the petitioner is willing to vacate the subject premises and hand over the vacant possession to the respondent / landlord. Accordingly, the petitioner was permitted to file an affidavit.

3. When the matter is taken up for hearing today i.e. on 05.01.2023, the revision petitioner filed an affidavit of undertaking in USR.No.759 dated 04.01.2023, stating that he will vacate the rental premises within a period of two (2) months from today i.e. on 04.01.2023.

4. In view of the undertaking filed by the revision petitioner, no further adjudication on merits is warranted. Accordingly, the revision petitioner herein is directed to vacate the subject premises within a period of two (2) months and hand over the vacant possession to the respondent / landlord and settle all the arrears of rent, if any. In the even of failure, the respondent is at liberty to move a contempt application before this Court.



5. With the above directions, the Civil Revision Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

05.01.2023

Jeni
Index : Yes
Neutral Citation : Yes
Speaking order / Non-speaking order

To

The Judge,
Principal District Munsif Court,
Alandur,
Chennai.



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S.M.SUBRAMANIAM, J.

Jeni

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