



CMP(MD). No.8337 of 2023

WEB COP BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Tuesday, the Twenty Fifth day of July Two Thousand and Twenty Three

PRESENT

The Hon`ble Mrs.Justice K. GOVINDARAJAN THILAKAVADI

CMP(MD). No.8337 of 2023

in

CRP(MD)25 OF 2020

R.M.Natarajan

... Petitioner/Petitioner

Vs

Abitha Beevi

... Respondent/Respondent

Prayer in CMP(MD) No.8337 of 2023:-

This Civil Miscellaneous Petition is filed under section 148 of C.P.C.,to grant Extension of Time on or before 30.12.2023 to vacate the premises in RCOP schedule property, RCOP No.6/2012 on the file of the Rent Controller Authority cum District Munsif Court, Pudukkottai.



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Prayer in CRP(MD) No.25 of 2020:-

This Civil Revision petition is filed under section 25 of the Tamil Nadu Buildings (Lease and Rent Control Act), 1960, to prefer against the fair and decreetal order of the Rent Control Appellate Authority(Sub Judge)Pudukkottai, in RCA No.5 of 2015 dated 12.01.2018 confirming the fair and decreetal order of the Learned Rent Controller-cum-District Munsif, Pudukkottai in RCOP No.6 of 2012 dated 18.03.2015.

ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.R.Paranjothi, Advocate for the Petitioner this Court made the following order:

This petition is filed by the petitioner/tenant for extension of time to vacate the premises in R.C.O.P.No.6 of 2012 on the file of the Rent Controller Authority-cum-District Munsif Court, Pudukkottai, on or before 30.12.2023.

2.The respondent/landlord herein has filed a petition in R.C.O.P.No.6 of 2012 before the Rent Controller-cum-District Munsif, Pudukkottai, for eviction on the ground of wilful default, owner's occupation. The said RCOP was allowed on 18.03.2013. Against which, the petitioner/tenant preferred an appeal in R.C.A.No.5



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of 2015 before the Rent Control Appellate Authority (Sub-Judge), Pudukkottai. On 12.01.2018, the said appeal was dismissed and the eviction order passed by the tribunal was confirmed. Against which, the petitioner/tenant has preferred a revision in C.R.P(MD)No.25 of 2020, in which, a conditional order was passed to vacate the premises and hand over the same to the respondent/landlord on or before 25.05.2023 and further he was directed to pay the rent to the landlord till the date of vacating the premises without any default.

3.The learned counsel appearing for the petitioner/tenant would submit that due to inevitable reason, the petitioner was unable to hand over the possession to the respondent/landlord within the time as directed by this Court. Hence, the petitioner/tenant has filed the present application for extension of time.

4.Today when the matter is taken up for hearing, the learned counsel appearing for the petitioner/tenant filed an undertaking affidavit dated 24.07.2023, by stating that he would vacate the premises and hand over the same to the respondent/landlord on or before 30.09.2023.



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5. Considering the facts and circumstances of the case, this Court extends the time to vacate the premises and hand over the same to the respondent/landlord on or before 31.08.2023 and also directed to pay the rent to the landlord till the date of vacating the premises.

Sd/-

Assistant Registrar(R)

// True Copy //

26/07/2023

Sub Assistant Registrar(CS)

ENCL: COPY OF AFFIDAVIT
TO

1. The Subordinate Judge, Rent Control Appellate Authority, Pudukkottai,
2. The Rent Controller-cum-District Munsif, Pudukkottai

COPY TO:

THE SECTION OFFICER,
VR SECTION,

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI. (2 Copies)

ORDER DATED : 25/07/2023

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ORDER

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in

CRP(MD)25 OF 2020

Giving direction and etc.
as stated within.

MK/26.07.2023 4P 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023