



WEB COPY



C.R.P.[NPD].Nos.2163 & 2236 of 2024
and C.M.P.Nos.11571 & 11780 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.12.2024

CORAM

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

C.R.P.[NPD]Nos.2163 & 2236 of 2024
and C.M.P.Nos.11571 & 11780 of 2024

Vijaya

.. Petitioner in both C.R.Ps

Vs.

Manba-ui-ula Society
Wakf-E-Khadar Basha,
Rep. by its President
Mr. L M Mohaamed Ashraf,
Having Office at Chinnapalli Street,
Kothanallur,
Tiruvarur District-614 101.

.. Respondents in both C.R.Ps

Prayer in C.R.P. No.2163 of 2024: Civil Revision Petition filed under Section 115 of the Code of Civil Procedure, to set aside the order dated 10.04.2024 made in M.P.No.3 of 2023 in Ejectment Appeal Sr.No.2543 of 2023 on the file of the Chief Court of Small Causes at Chennai.



C.R.P[NPD].Nos.2163 & 2236 of 2024
and C.M.P.Nos.11571 & 11780 of 2024

WEB COPY

Prayer in C.R.P. No.2236 of 2024: Civil Revision Petition filed under Section 115 of the Code of Civil Procedure, to set aside the order dated 10.04.2024 made in M.P.No.1 of 2023 in Ejectment Suit No.6 of 2011 on the file of the Chief Court of Small Causes at Chennai.

In all C.R.Ps.

For Petitioner : Mr.S.Mannarsamy

For Respondent : Mr.N.Sivaprakash

COMMON ORDER

Civil Revision Petition No.2236 of 2024 has been filed, questioning the order, dated 10.04.2024 dismissing the M.P.No.1 of 2023 filed to condone the delay of 332 days in filing the Ejectment Appeal against the judgment and decree passed in Ejectment Suit No.6 of 2011 on the file of the Small Causes Court, Chennai.

2. Civil Revision Petition No.2163 of 2024 has been filed questioning the order, dated 10.04.2024 dismissing the M.P.No.3 of 2023 in Ejectment Appeal Sr.No.2534 of 2023 on the file of the Small Causes Court,



C.R.P[NPD].Nos.2163 & 2236 of 2024
and C.M.P.Nos.11571 & 11780 of 2024

Chennai to receive the additional documents.

WEB COPY

3. The petitioner's husband was a tenant and the respondent is a landlord. As there were disputes between the parties, the respondent filed a suit in O.S.No.6 of 2011 for ejectment of the petitioner's husband from the suit schedule property. Since the husband of the petitioner died, the petitioner, who is the wife of the deceased tenant, was brought on record. The said suit was decreed on 04.02.2022 and the petitioner was directed to quit and hand over the suit property to the respondent within a period of two months. Thereafter, the respondent has moved an execution petition. Aggrieved over the said judgment and decree, the petitioner preferred an appeal and as there was delay in preferring the same, the petitioner moved an application in M.P.No.1 of 2023 to condone the delay of 332 days and also another application in M.P.No.3 of 2023 to receive additional documents. However, the Court below dismissed both the applications. Questioning the same, the present Revision Petitions have been filed.

4. Today, when the present Revision Petitions are taken up for



C.R.P[NPD].Nos.2163 & 2236 of 2024
and C.M.P.Nos.11571 & 11780 of 2024

hearing, the petitioner filed an affidavit, seeking one year time to vacate and hand over the premises, i.e. on or before 31.12.2025 and she also undertakes to pay the rents regularly without fail till such time.

5. The affidavit filed by the petitioner is taken on record. However, considering the nature of the building and other tenants have already vacated, this Court feels it appropriate to grant time to the petitioner till 31.05.2025 subject to payment of rents regularly without fail.

6. Accordingly, the petitioner is granted time till 31.05.2025 and the petitioner is directed to hand over the suit schedule premises on or before 31.05.2025. The petitioner is also directed to pay the monthly rents regularly without fail till such time. No further orders are necessary. However, it is made clear that in the event the petitioner is not vacating the premises on or before 31.05.2025 as undertaken by her before this Court, she will be proceeded for contempt of Court.



C.R.P[NPD].Nos.2163 & 2236 of 2024
and C.M.P.Nos.11571 & 11780 of 2024

WEB COPY

7. With the above direction, these Civil Revision Petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

12.12.2024

rst

Index : Yes/No

Internet: Yes/No

Speaking/Non-Speaking Order

To:

The Chief Judge of Small Causes at Chennai.



WEB COPY



C.R.P.[NPD].Nos.2163 & 2236 of 2024
and C.M.P.Nos.11571 & 11780 of 2024

N.SATHISH KUMAR, J.

rst

C.R.P.[NPD]Nos.2163 & 2236 of 2024
and C.M.P.Nos.11571 & 11780 of 2024



WEB COPY



C.R.P[NPD],Nos.2163 & 2236 of 2024
and C.M.P.Nos.11571 & 11780 of 2024

12.12.2024