



C.R.P. No. 2117 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.05.2024

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THE HON'BLE MR. JUSTICE P. B. BALAJI

C.R.P. No. 2117 of 2024

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C.M.P. No. 11265 of 2024

1. Balan
2. B. Udhayakumar ..Petitioners

Vs.

Mahendrakumar ..Respondent

Prayer: Civil Revision Petition under Article 227 of the Constitution of India as against the docket order dated 30.04.2024 passed in E.P. No. 587 of 2022 in R.L.T.O.P. No. 165 of 2021 by the learned XI Judge, (FAC), Small Causes Court, Chennai.

For Petitioners :: Mr.K. Balakrishnan

For Respondent :: Mr. Mahinder Banchari

O R D E R

By consent, the civil revision petition is taken up for final disposal.



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2. Though the revision has been filed as against the order dated 30.04.2024 passed in E.P. No. 587 of 2022 in R.L.T.O.P. No. 165 of 2021 passed by the learned XI Judge, (FAC), Small Causes Court, Chennai, it is brought to the notice of this Court that in the earlier revision filed by the petitioners herein challenging the judgment and decree dated 02.12.2022 passed in RLTA No. 80 of 2022 by the VI Additional District Judge, City Civil Court, Chennai (Rent Tribunal), the learned Single Judge, by order dated 20.07.2023, while dismissing the civil revision petition, had granted six months time to vacate and hand over the premises in question. However, the petitioners have not handed over possession of the premises and the learned counsel for the petitioners seeks six months time from today to vacate and hand over possession of the premises in question.

3. The request of the learned counsel for the petitioners is strongly objected and opposed to, by the learned counsel for the respondent.

4. I am unable to accede to the request of the learned counsel for the petitioners to grant six months time to hand over vacant possession of the premises. However, in the interest of justice, the petitioners are granted time till 30.09.2024 to vacate and hand over possession of the premises



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under their occupation subject to the following conditions:

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- (i) The petitioners shall vacate and hand over vacant possession of the tenanted premises on or before 30.09.2024 without seeking for further extension of time;
 - (ii) In this regard, the petitioners shall file an affidavit of undertaking within a period of 10 days from today, i.e, on or before 03.06.2024;
 - (iii) The petitioners shall clear the entire arrears of rent after adjusting the advance amount paid initially by the petitioners within a period of 30 days from today.

5. Subject to the above conditions, the petitioners shall be entitled to continue to occupy the tenanted premises until 30.09.2024. It is made clear that if any of the above conditions are violated or not complied with, then the petitioners shall not have the benefit of time to stay till 30.09.2024 and the respondent is at liberty to move this Court for further orders. The petitioners shall also continue to pay the rents until such time the possession of the tenanted premises is handed over.

6. The Civil Revision Petition stands disposed of with the above directions. No costs. Connected C.M.P. is closed.



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To

The XI Judge,
Court of Small Causes,
Chennai.



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P.B. BALAJI,J.

nv/sai

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