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C.R.P.[NPD].Nos.4822, 4975, 4976, 4977, 4982 & 5009 of 2024

THE HIGH COURT OF JUDICATURE AT MADRAS

Date : 04.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

C.R.P.[NPD].Nos.4822, 4975, 4976, 4977, 4982 & 5009 of 2024

CMP.Nos.27437, 27978, 27983, 27992, 28011 & 28131 of 2024

CRP [NPD] No.4822 of 2024

Namasivayam

Carrying on business at Shop No.4,
Ground Floor, Old No.10, New No.19,
Venkatesan I Street, Anna Salai,
Chennai – 600 002.

... Petitioner

Versus

M/s.Ismail Musua Wakf

Rep. by its Muthavalli Mr.Aejaz Sait,
“Yafa Guest House”, 4th Floor, No.22,
Model School Road, Chennai – 600 006.

. . . Respondent

PRAYER : Petitions filed under Article 227 of Constitution of India to set aside the common Order dated 09.10.2023 passed by the learned VII Judge, Small Causes Court, Chennai in RCA.No.112 of 2018 confirming the common Order dated 29.06.2017 passed by the learned XVI Judge, Small Causes Court, Chennai in RCOP.No.1995 of 2013.

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For petitioner : Mr.N.Saravanan

Respondent : Mr.K.P.Ashok

COMMON ORDER

Challenge has been made to the set the concurrent findings of the Court below ordering eviction of the revision petitioners on the ground of demolition and reconstruction, the present Civil Revision Petitions have been filed.

2. Since all the Rent Control appeals are arising out of a common judgment passed by the Rent Controller as well as the appellate authority, this Court is also inclined to dispose of all the revisions in a common Order.

3. When the matter is taken up today, the revision petitioners have filed an affidavit before this Court stating since they are running business, they will vacate the premises within a period one year. The affidavit filed by the petitioners is taken on record.



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4. Taking note of the fact that the Original Petition is of the year 2013, as the eviction has been Ordered for demolition and reconstruction, one year time is too long. However, taking into consideration the nature of business of the revision petitioners and in order to establish their business in some other place reasonable time is required.

5. Accordingly, these Civil Revisions Petitions are dismissed confirming the Order of the Courts below. Seven [7] months is granted to the revision petitioners to vacate the premises. It is made clear that in the event the revision petitioners failed to vacate the premises within seven [7] months, they will be liable to be proceeded for contempt. No costs. Consequently, connected miscellaneous petitions are closed.

04.12.2024

Index : Yes / No

Internet: Yes

Speaking/non speaking order

VRC

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To,

1. The VII Judge,
Small Causes Court, Chennai.
2. The XVI Judge,
Small Causes Court, Chennai.



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N. SATHISH KUMAR, J.

vrc

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04.12.2024