



C.R.P.No.3021 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2024

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

C.R.P.No.3021 of 2024
and C.M.P.No.16258 of 2024

I.Satish Kumar

... Petitioner

Vs

N.Baba Prasad

... Respondent

PRAYER : Civil Revision Petition filed under Section 25 of Tamil Nadu Buildings, Lease and Rent Control Act (as amended by Act 23 of 1973 and by Act 1 of 1980), pleased to set aside the fair and decreetal order dated 02.03.2024 passed in R.C.A.No.180 of 2021 by the learned VII Judge, [FAC], Small Causes Court, Chennai, [Rent Control Appellate Authority], confirming the fair and decreetal order and decree passed in RCOP No.825 of 2013 dated 19.02.2018 by the learned XII Judge, Small Causes Court, Chennai.

For Petitioner : Mr.Ashok Menon

For Respondent : Mr.V.Sivakumar

for M/s.P.B.Ramanujam Associates



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ORDER

This Civil Revision Petition has been filed against the order dated 02.03.2024 passed by the learned VII Judge, [FAC], Small Causes Court, Chennai [Rent Control Appellate Authority] in R.C.A.No.180 of 2021, confirming the order passed by the learned XII Judge, Small Causes Court, Chennai in RCOP No. 825 of 2013 dated 19.02.2018.

2. The petitioner is a tenant and the respondent is a landlord. The petitioner was running a shop in the ground floor (New No.20, Old No.28) of the respondent's premises located at Kasi Chetty Street, Sowcarpet, Chennai. The learned XII Judge, Small Causes Court, Chennai, by an order dated 19.02.2018 in RCOP No. 825 of 2013 has ordered the eviction on the ground of demolition and reconstruction and directed the petitioner to hand over the possession to the respondent within two months. Aggrieved over the same, the petitioner has filed an appeal in R.C.A.No.180 of 2021 before the learned VII Judge, [FAC], Small Causes Court, Chennai [Rent Control Appellate Authority] and the learned Appellate Judge, by an order dated 02.03.2024 has confirmed the order passed by the learned trial Judge and dismissed the appeal. Therefore, the present revision



petition has been filed against the dismissal orders.

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3. The learned counsel for the petitioner has filed an Affidavit of Undertaking before this Court, in which, the petitioner undertakes to vacate the shop in the ground floor of Premises at New No.20, Old No.28, Kasi Chetty Street, Sowcarpet, Chennai - 600 079, and hand over the vacant possession of the same to the respondent/landlord on or before 30.11.2024.

4. The learned counsel for the respondent has also agreed to the said factum and both the counsel for the petitioner and the respondent submitted that in view of the undertaking given by the petitioner, this revision petition may be disposed of.

5. Taking into consideration the Affidavit dated 08.08.2024 filed by the petitioner and recording the submissions of the learned counsels on both sides, this Civil Revision Petition stands disposed of with a direction to the petitioner to vacate the premises and hand over the vacant possession of the premises to the respondent on or before 30.11.2024.

6. The Affidavit of Undertaking dated 08.08.2024 filed by the petitioner



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shall form part of the Court records. Consequently, the connected miscellaneous petition is also closed. No costs.

7. Post the matter on 03.12.2024 'for reporting compliance'.

09.08.2024

Index : Yes / No

Neutral Citation : Yes / No

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To

1. The VII Judge [FAC],
Small Causes Court, Chennai [Rent Control Appellate Authority].
2. The XII Judge, Small Causes Court, Chennai.
3. The Section Officer,
VR Section, Madras High Court,
Chennai.



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A.D.JAGADISH CHANDIRA, J.

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**C.R.P.No.3021 of 2024
and C.M.P.No.16258 of 2024**

09.08.2024