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CRP.No.3829 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

C.R.P.No.3829 of 2024 and C.M.P.No.21088 of 2024

P.T.Pandichelvan

.. Petitioner

Versus

1.Meher Ali

2.Beena Mehar

.. Respondents

Prayer:- Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decretal order passed in RLTA.No.13 of 2024 in RLTOP No.595 of 2022 vide Order dated 12.08.2024 on the file of learned III Additional City Civil Court at Chennai.

For Petitioner : Mr.T.Kannan

For Respondents : Mr.K.P.Ashok

ORDER

This petition has been filed as against the fair and decretal order passed in RLTA.No.13 of 2024 in RLTOP No.595 of 2022 vide Order dated 12.08.2024 on the file of learned III Additional City Civil Court at Chennai.



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2. The petitioner is the tenant and the first respondent is the landlord.

When the cases were taken up on 25.09.2024, the learned counsel for the petitioner/tenant submitted that the petitioner is running a Kindergarden school, wherein 90 children are studying and the petitioner intends to vacate the premises and sought time to hand over the premises to the respondent. Accordingly, the cases were listed today.

3. Today, the petitioner has filed an affidavit of undertaking agreeing to vacate and hand over the vacant possession of the property on or before 30.04.2024. Mr.K.P.Ashok, learned counsel for the respondents, on instructions, submitted that respondents also have no objection in the petitioner vacating and handing over the vacant possession of the property on or before 30.04.2024, however, he would seek liberty to the respondents to take steps to recover the rental arrears from the petitioner.

4. Heard both sides and perused the materials placed on record. It is relevant to extract the portion of the affidavit dated 01.08.2024, which reads as follows:



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“...5. I further submit that on 25.09.2024 have undertaken to file an affidavit to vacate and handover the said schedule premises on 30.04.2025. I hereby undertake to state that I shall vacate and handover the said schedule premises to the respondents by 30.04.2025.”

5. In view of the consensus arrived between the parties and undertaking to hand over the vacant possession of the premises to the respondents by 30.04.2025, the civil revision petitions stand disposed of with a direction to the petitioner to vacate and hand over the vacant possession of the premises on or before 30.04.2025. The respondents are at liberty to take steps to recover the rental arrears, if any. The affidavit of undertaking filed by the petitioner shall form part and parcel of the Court records. Consequently, connected miscellaneous petition is closed.

01.10.2024

dhk

Index : Yes/No

Internet : Yes/No

To,

1.The III Additional Judge,
III Additional City Civil Court, Chennai



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A.D.JAGADISH CHANDIRA, J.,

dhk

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