



WEB COPY



C.R.P.(NPD) No.4819 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 09.12.2024

CORAM

THE HON'BLE JUSTICE N.SATHISH KUMAR

C.R.P.(NPD) No.4819 of 2024
and C.M.P.No.26917 of 2024

1. Bhagya Shee Jayaraj
2. J.Mohan
3. J.Sumi

... Petitioners/Petitioners/Tenants

-VS-

1. M.ASHOK CHAND
2. M.DHARAM CHAND
3. M.JAI CHAND
4. M.VIJAI CHAND

S.Mothilal (since deceased)
B.F.Leelabai (since deceased)

5. M.PUSHPALATHA

... Respondents/Respondents/Landlords

K.Bujanga Rao (deceased)

6. SUMATHI B.RAO
7. NARAYANDASS
8. GANESHAN
9. FYZIL
- 10.A.K.CHINNAIAH
- 11.A.S.AZAM
- 12.A.S.ANWAR
- 13.SHAFIYULLA KHAN
- 14.A.S.ABDUL GANI
- 15.A.S.KURSHEETH
- 16.A.S.MOHAMMED ZAFARULLAH

Rahima Bi (since deceased)



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Ragavendra Rao (since deceased)

- 17.R.KUMAR
- 18.ARUN SINGH
- 19.SRI BALAJI
- 20.P.SAMUEL

M.A.JAYARAJ (SINCE DECEASED)

21.MESSRS HEERAMUL GARDEN ROAD,
UDHAGAMANDALAM

22.DR.RAVI THILAGARAJ

23.MANI ACHARI

24.BHOJAN

25.RADHAKRISHNAN

26.JAYALAKSHMI

27.BHARGAVI

28.SRI RAM

29.SRI KRISHNA

... Respondents/Respondents/Tenants

30.S.KANTHILAL

31.S.LALITHKUMAR

32.S.MAHAVEERCHAND

33.S.BALCHAND

ASI BAI (SINCE DECEASED)

34.KAMMA BAI

35.MAGHA BAI

36.KAMALA BAI

37.S.SHANTHILAL

... Respondents/Respondents/Tenants

38.J.MINI

39.J.SHEELE

... Respondents/Respondents/Tenants

Prayer: Civil Revision Petition filed under Section 115 of CPC to set aside the Decretal order dated 18.10.2024 made in E.P.No.43 of 2014 in R.C.O.P.No.34 of 1990 on the file of the Rent Controller, Udhagamandalam, The Nilgiris District.

For Petitioners : Mr.S.Shanmugha Sundaram



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For Mr.K.C.Karl Marx

ORDER

This Civil Revision Petition has been filed, challenging the order dated 18.10.2024 of the Rent Court in E.P.No.43 of 2014 in R.C.O.P.No.34 of 1990, by which the Execution Petition filed by the Landlords was allowed.

2. When the matter is taken up for hearing, learned counsel for the revision petitioners has produced an affidavit of undertaking of one J.Mohan / 2nd petitioner herein, who is the son of late M.A.Jayaraj and the 1st petitioner herein. The 3rd petitioner is the sister of the 2nd petitioner. In the affidavit of undertaking, the 2nd revision petitioner sought time for vacating the premises by 31.05.2025.

3. The affidavit of undertaking filed by the 2nd petitioner is taken on record. This Court is not inclined to extend time till 31.05.2025. Time is granted only upto 30.04.2025 to surrender / hand over the vacant

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possession of the premises. Needless to state that there is no impediment for
the Trial Court to execute the warrant after 30.04.2025. It is made clear that
in case the revision petitioners refuse to vacate the premises on or before
30.04.2025, besides delivery by the Executing Court, the revision petitioners
can also be proceeded with for violating the undertaking given by him
before this Court under the provisions of the Contempt of Courts Act.

4. Accordingly, this Civil Revision Petition is disposed of. No
costs. Consequently, connected Miscellaneous Petition is closed.

09.12.2024

Index: Yes/No
Internet: Yes/No
Speaking Order/Non Speaking Order
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To:

The Rent Controller,
Udhagamandalam,
The Nilgiris District.

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