



WEB COPY



CRP (PD) No.5170 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2024

CORAM:

THE HON'BLE MR. JUSTICE V. LAKSHMINARAYANAN

C.R.P. (PD) No.5170 of 2024

H.P. Mohammed Madar

Petitioner

v

P.K. Shankaran

Respondent

For petitioner

Mr. Sameer Shah
for Mr. V. Balaji

For respondent

Mr. A. Palaniappan

ORDER

In compliance with the order dated 13.12.2024, the civil revision petitioner has filed an affidavit of undertaking. The said affidavit of undertaking is extracted hereunder:



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CRP (PD) No.5170 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

CRP No. 5170 of 2024

Applicant

I.A. No. 03 of 2024

In

RI IA No. 12482 of 2024

(on the file of Learned Additional Judge, City Civil Court, Chennai)

H. P. Mohammed Madar,

S/o Paker Sahib,

No. 177/1, Walltax Road,

(Opposite to Rasappa Chetty Street),

Park Town, Chennai – 600 003

...Petitioner/Petitioner/Appellant

V/s

P. K. Shankaran,

S/o P. M. Kandasamy Chetty,

Plot No. 50, T. G. Sami Nagar,

Vadaperumpakkam,

Chennai – 600 060

...Respondent/Respondent/Respondent

AFFIDAVIT OF H. P. MOHAMMED MADAR

I, H. P. Mohammed Madar, S/o Paker Sahib, age about 75 years of No. 177/1, Walltax Road, (Opposite to Rasappa Chetty Street), Park Town, Chennai – 600 003, do hereby solemnly affirm and declare as follows:

1. I am the petitioner herein and the Petitioner in the above Civil Revision Petition and as such I am well aware of the facts and circumstances of the





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2. I have filed this Civil Revision Petition against the order dismissing the application of the petitioner to advance the hearing dated 10.12.2024 made in L.A. No. 03 of 2024 in RLTA Sr. 12482 of 2024.
3. I further state that this Hon'ble Court has dismissed the CRP and since break open and police aid petition has been allowed the petitioner is pleading for time to handover vacant possession.
4. I further state that on request this Hon'ble Court gave me time up to 31.08.2025 for handing over the vacant possession on condition that I file the affidavit of undertaking.
5. I further state that I undertake to handover the vacant possession of the petition schedule property on 31.08.2025.
6. I further state that till then I will pay the rent as directed by this Hon'ble court.
7. I undertake that I will not allow any third-party interest in the petition schedule property.
8. I further state that I will not make the landlord to file or proceed further with the execution proceedings for taking possession and on fixed date I will handover the vacant possession of the premises.
9. I further state that Rs.3,00,000/- advance is laying with the Respondent shall be returned to me at the time when I hand over vacant possession.

Solemnly affirm and signed on
this the 17th day of December 2024.



ATTESTED BY ME
N. Siva Bharathi 17/12/2024
N.SIVA BHARATHI
ADVOCATE & NOTARY PUBLIC
Government of India
Plot No.12, Sava Adithya Ilam
Prabhara Park 2nd Avenue,
Rajan Nagar, 1st Street,
Injambakkam, Chennai - 600 115.
Call : 9962243549, 8380064794

Before me

Advocate, Chennai



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2. Since the petitioner has undertaken to vacate and hand over possession on or before 31.08.2025 and to pay the rent as directed by this Court in its order dated 13.12.2024, no further orders are necessary. In case, any advance is lying in the hands of the landlord, the petitioner will be entitled to the same at the time of vacating the property.

20.12.2024

cad

To

The I Additional Judge
City Civil Court
Chennai