



W.P.(MD) No.128 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.128 of 2024

and

W.M.P(MD)Nos.157, 159 and 160 of 2024

Nazeeer Mohamed

... Petitioner

Vs.

1.The Authorised Officer,
M/s.Punjab National Bank,
Erstwhile M/s United Bank of India,
Circle Sastra Chennai, Chennai North,
Spencer Plaza – Ground Floor,
769, Anna Salai, Chennai – 600 002.

2.Mehrunisha
3.A.Jakir Ahamed
4.Ansar Ahmed
5.A.Jabeen
6.Suriya Banu
7.Farhath
8.N.Ashfaaq

.... Respondents

(R-8 is impleaded vide Court order
dated 29.01.2024 in W.M.P(MD)No.577 of 2024 in
W.P(MD)No.128 of 2024 by DKKJ & RVJ)



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PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the order in Cr.M.P.No.20739 of 2023, dated 06.11.2023 on the file of the Learned Chief Judicial Magistrate, Dindigul and quash the same as *per-se* illegal arbitrary and as against law and consequently, grant a time of three months to vacate the property in Door No.20 Virutti Gounder Lane, Begampur, Dindigul Town.

For Petitioner :Mr.C.Narendren

For R-1 :Mr.V.Balasubramanian

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

The petitioner, who is stated to be the tenant in the property in Door No.20, Virutti Gounder Lane, Begampur, Dindigul Town, has filed this writ petition, to set aside the order passed in Cr.M.P.No.20739 of 2023, dated 06.11.2023, on the file of the Learned Chief Judicial Magistrate, Dindigul and to grant three months time to vacate the property.

2. Earlier, when the matter came up for hearing on 27.02.2024, the petitioner sought for four weeks time to vacate the premises and undertook to file an undertaking affidavit to that effect.



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3. Today, the petitioner has filed an undertaking affidavit, stating that the petitioner will vacate the premises on 31.03.2024 and hand over the keys to the first respondent herein without any further delay.

4. The said undertaking affidavit is recorded. It is made clear that, as undertaken by the petitioner, the petitioner has to vacate the premises and hand over the keys on or before 01.04.2024, failing which, the first respondent will take necessary action as per law.

5. We make it clear that the above said order is passed based on the statement made by the petitioner that he is the tenant. We are not expressing any opinion on the right of the parties.

6. With the above observations, this writ petition stands disposed of. No Costs. Consequently, connected Miscellaneous Petitions are closed.

[D.K.K., J.]

[R.V., J.]

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Neutral Citation: Yes / No
Index : Yes / No
PM



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and
R.VIJAYAKUMAR, J.

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