



C.R.P. (MD) No. 929 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.04.2024

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKEVALU

C.R.P. (MD) No. 929 of 2024

and

C.M.P. (MD) No. 5063 of 2024

U.Vijayarani

... Petitioner

Vs.

Ajay Francis,
Represented by his father / Power of Attorney Agent,
Amalorpavam

... Respondent

PRAYER:- Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 29.01.2024 passed in R.T.A.No.11 of 2023 on the file of the IV Additional District Judge, Madurai, confirming the fair and decreetal order dated 11.04.2023 passed in R.L.T.O.P.No.5 of 2021 on the file of the District Munsif (Rent Controller), Melur and allow the present Civil Revision Petition.

For Petitioner : Mr. M.Saravanan

For Respondent : Mr. S.Manohar



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ORDER

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The Civil Revision Petition challenges the order dated 29.01.2024 passed by the IV Additional District Judge, Madurai (Rent Tribunal) in R.T.A. No. 11 of 2023 confirming the order dated 11.04.2023 in R.L.T.O.P. No. 5 of 2021 passed by the District Munsif, Melur (Rent Court) for eviction of the Petitioner from the property belonging to the Respondent, in his occupation.

2. Heard Mr. M.Saravanan, Learned Counsel for the Petitioner and Mr. S.Manohar, Learned Counsel appearing for the Respondent and perused the materials placed on record, apart from the pleadings of the parties.

3. When the matter is taken up for hearing today, the Petitioner has filed an affidavit dated 21.04.2024 undertaking that he would vacate and hand over vacant possession of the leased premises by 31.10.2024 in addition to payment of rent at the existing rate of Rs 21,000/- on or before the 12th day of every calendar month till then.



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4. In view of the same, it is made clear that in the event of the Petitioners failing to vacate from the leased premises by 31.10.2024 or defaulting in payment of the monthly rent on the due dates till then, the Respondents shall be entitled to execute the impugned order of eviction against him without any further notice to him in execution proceedings, which shall be listed on 02.11.2024 for reporting compliance and further proceedings in accordance with law.

5. It is further informed that at the time when the Petitioner vacates from the premises, the Respondent would refund the advance amount of Rs. 18,00,000/- received from the Petitioner, after deduction of any dues, under written acknowledgment.

In the result, this Civil Revision Petition is disposed on the aforesaid terms. Consequently, connected Miscellaneous Petition is closed. No costs.

22.04.2024

Index : Yes/No

NCC : Yes/No

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Note: Issue order copy by 05.06.2024.



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TO:

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- 1.The District Munsif (Rent Controller), Melur.
- 2.The IV Additional District Judge, Madurai.
- 3.The Section Officer (VR Section),
Madurai Bench of Madras High Court,
Madurai.



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P.D.AUDIKESAVALU, J.

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