



C.R.P. (MD) No. 1005 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.04.2024

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THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

**C.R.P. (MD) No. 1005 of 2024
and
C.M.P. (MD) No. 5432 of 2024**

M.Natarajan

... Petitioner

-VS-

V.Jeyaprakash

... Respondent

PRAYER: Petition filed under Article 227 of the Constitution of India, to set aside the fair and executable order dated 03.01.2023 passed in R.L.T.A.No. 4 of 2022 on the file of the First Additional District Court cum Rent Tribunal, Madurai confirming the fair and executable order dated 08.07.2022 passed in R.L.T.O.P. No. 50 of 2021 on the file of the Principal District Munsif Court cum Principal Rent Court, Madurai Town.

For Petitioner : Mr. J.Barathan

For Respondent : Mr. D.Shanmugaraja Sethupathi

ORDER

The Civil Revision Petition invoking under Article 227 of the Constitution of India, has been filed to set aside the fair and executable order



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dated 03.01.2023 passed in R.L.T.A. No. 4 of 2022 on the file of the First Additional District Court cum Rent Tribunal, Madurai hereinafter referred to as the 'First Appellate Court' for short confirming the order dated 08.07.2022 in R.L.T.O.P. No. 50 of 2021 on the file of the Principal District Munsif Court cum Principal Rent Court, Madurai Town (hereinafter referred to as the 'Trial Court' for short).

2. Heard Mr. J.Barathan, Learned Counsel for the Tenant and Mr. D.Shanmugaraja Sethupathi, Learned Counsel for the Landlord 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 17.04.2024 undertaking that he would vacate and hand over vacant possession of the leased premises by 01.11.2024 in addition to payment of rent at the existing rate of Rs.3,000/- on or before the 16th day of every calendar month till then.

4. In view of the same, it is made clear that in the event of the Petitioner failing to vacate from the leased premises by 01.11.2024 or defaulting in payment of the monthly rent on the due dates till then, the Respondent shall be



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entitled to execute the impugned order of eviction against him without further notice to him in execution proceedings, which shall be listed on 02.11.2024 for reporting compliance and proceed accordingly.

5. It is further informed that at the time when the Petitioner vacates from the premises, the Respondent would refund the advance amount, if any, 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, the connected Miscellaneous Petition is closed. No costs.

18.04.2024

Index : Yes/No
Internet : Yes/No

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To

1. The First Additional District Court cum Rent Tribunal,
Madurai
2. The Principal District Munsif Court cum
Principal Rent Court, Madurai Town.
3. The Section Officer,
Vernacular Records Section,
Madurai Bench of Madras High Court,
Madurai.



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P.D. AUDIKESAVALU, J.

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