



CRP(MD). No.1274 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Tuesday, the Thirtieth day of July Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRP(MD). No.1274 of 2024

Syed Ibrahim

... Petitioner

Vs.

D.Ramesh Rajan

... Respondent

Prayer :-

Civil Revision Petition filed under Article 227 of The Constitution of India to call for the records of the concurrent Fair and Decreetal orders in RLTOP No.2 of 2022 on the file of the District Munsif, Sivakasi dated 05.12.2022 by confirming the order in RLTA No.1 of 2023 dated 22.03.2024 on the file of the Principal District Judge, Srivilliputhur, Virudhunagar District and set aside the same.

ORDER:- This Revision Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/s. RM.Arun Swaminathan, Advocate for the Petitioner and of M/s. G.Thilagavathi, Advocate for the respondent, this Court made the following order:

This matter was already disposed of by this Court by an order dated 05.07.2024. Thereafter, it was listed "for being mentioned", because the



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petitioner/tenant sought to remove the tin sheet on top of the roof and also the undertaking affidavit filed by the petitioner was conditional. Therefore, this Court adjourned the matter so as to enable the petitioner to refix the tin sheets on top of the roof and to file an undertaking that he will not cause any harm to the building and also make the undertaking to vacate unconditional.

2. Today, when the matter came up for hearing, Mr. Arun Swaminathan, learned counsel appearing on behalf the petitioner had produced a photograph showing the refixation of the tin sheets and a revised undertaking affidavit is also filed, wherein it is undertaken that he will not demolish the building and will vacate the premises only with his movable properties on or before 31.07.2025. The same is recorded.

3. While the learned Senior Counsel appearing on behalf of the landlord expresses apprehension that the petitioner should not walk away without paying any statutory dues, it goes without saying that so far as the electricity charges are concerned, the petitioner /tenant shall continue to pay till the date of his vacating. As far as the property tax is concerned, the same shall be paid only by the landlord.

4. The learned counsel for the petitioner brings to the notice of the Court about the police complaint. The learned Senior Counsel submits that the same was given only because the roof was removed, now, that roof is being restored, the parties will



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report before the appropriate police accordingly.

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5. In view thereof, the purpose for which the matter was listed “for being mentioned” stands resolved and the matter is closed.

Sd/-

Assistant Registrar(CS III)

// True Copy //

/08/2024

Sub Assistant Registrar
(CS - I/ II / III /IV)

To

1. The District Munsif,
Sivakasi.

2. The Principal District Judge,
Srivilliputhur,
Virudhunagar District.

Copy to:

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai



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ORDER DATED : 30/07/2024

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ORDER

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C.R.P(MD). No.1274 of 2024

Giving direction and etc.
as stated within.

MK/06.08.2024 4P 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023