



CRP NO. 839 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-04-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRP NO. 839 of 2025 & CMP NO. 4980 of 2025

G Karthikeyan

S/o.Ganesha Murthy, New No.120, Old No.152, Katchery Road,
Mylapore, Chennai-600004 and another

Petitioner(s)

Vs

G Thirumalaivasan

S/o.Ganeshamoorthi, New No.120, Old No.102, Katchery Road, Mylapore, Chennai-600004
Respondent(s)

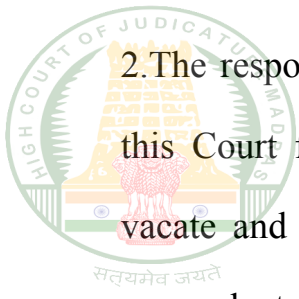
PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India praying to set aside the fair and decretal order in E.A.NO.6 of 2025 in E.P.No.1510 of 2023 in O.S.No.2080 of 2019 pending before the X Assistant City Civil Court, Chennai dated 12.02.2025.

For Petitioner(s): Mr.R. Sankarasubbu

For Respondent(s): Dr.G.Thirumalaivasan Party-in-person

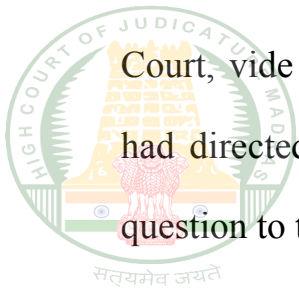
ORDER

Challenging the order granting police aid to evict the petitioners from the premises at New No.120, Old No.152, Katchery Road, Mylapore, Chennai-600 006, in E.A.No.6 of 2025 in E.P.No.1510 of 2023 in O.S.No.2080 of 2019 on the file of X Assistant City Civil Court, Chennai dated 12.02.2025, the petitioners have filed the above civil revision petition.



2. The respondent/plaintiff originally filed a suit in C.S.No.316 of 2018 on the this Court for the relief of mandatory injunction directing the petitioners herein to vacate and hand over or deliver the vacant possession of the suit properties to the respondent herein and for the consequential relief of permanent injunction that the petitioners herein should not in any manner interfere with their peaceful possession and enjoyment of the property and for costs. Thereafter, the said suit was transferred to the file of the XVIII Additional City Civil Court, Chennai and renumbered as O.S.No.2080 of 2019. The trial Court, by judgment dated 09.12.2022, decreed the suit as prayed for, with a direction to the petitioners herein to vacate and hand over the vacant possession of the suit property to the respondent/plaintiff within a period of two months from that day. Thereafter, the respondent filed E.P.No.1510 of 2023 in O.S.No.2080 of 2019 under Order XXI Rule 35 of C.P.C. seeking delivery of vacant possession and the Executing Court vide order dated 03.06.2023, had directed the revision petitioners to deliver the vacant possession of the schedule mentioned property through the Court to the respondent by 05.07.2023.

3. In the meanwhile, challenging the judgment and decree made in O.S.No.2080 of 2019, the petitioners herein had filed A.S.No.551 of 2023 before this Court. A Division Bench of this Court, vide judgment dated 03.01.2025, had dismissed the appeal. Thereafter, seeking police aid to evict the petitioners from the premises, the respondent had filed E.A.No.6 of 2025 in E.P.No.1510 of 2023 in O.S.No.2080 of 2019 on the file of X Assistant City Civil Court, Chennai and the Executing Court, by an order dated 12.02.2025, had allowed the petition. Challenging the judgment made in A.S.No.551 of 2023 on 03.01.2025, the petitioners herein had preferred a Special Leave Petition in SLP. (Civil) Diary Nos.5221 of 2025 before the Supreme Court of India. The Apex



Court, vide order dated 21.04.2025, while disposing the SLP filed by the petitioner had directed them to vacate and hand over the vacant possession of the premises in question to the respondent within four months from 21.04.2025.

4.Today, when the matter is taken up for hearing, the learned counsel for the petitioner would submit that the petitioner is ready to comply with the order passed by the Apex Court and he undertakes to vacate the premises in question on or before 28.08.2025.

5.In view of the above submission, nothing survives for adjudication in this civil revision petition and the same is liable to be dismissed.

6.Accordingly, the above civil revision petition is dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

24-04-2025

raa

To

IX Assistant City Civil Court, Chennai.



WEB COPY

A.D.JAGADISH CHANDI

raa



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