



C.R.P.No.1375 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2025

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

C.R.P.No.1375 of 2025
and C.M.P.No.8148 of 2025

Sunitha
W/o.V.Ranjith Kumar

... Petitioner/Judgment Debtor/Defendant

Vs

D.Raj Kumar
S/o.Deivasigamani

... Respondent/Decree Holder/Plaintiff

PRAYER : Civil Revision Petition filed under Section 115 of Civil Procedure Code to set aside the fair and decretal order dated 14.03.2025 made in EA No.4 of 2025 in E.P.No.1253/2024 in O.S.No.6799 of 2022 on the file of XXV Assistant City Civil Court, Chennai.

For Petitioner : Mr.R.Thirumoorthy

For Respondent : Mr.A.Natarajan
Senior Advocate
for M/s.A.Madhumathi



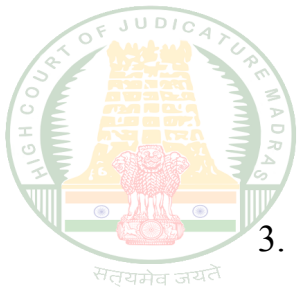
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ORDER

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The civil revision petition has been filed seeking to set aside the decretal order dated 14.03.2025 in EA.No.4 of 2025 in E.P.No.1253 of 2024 in OS.No.6799 of 2022 on the file of the XXV Assistant City Civil Court, Chennai.

2. The petitioner is the tenant at unit 903, Casagrand Montecarlo NGR Colony, Gotha Medu Housing Board situated within the jurisdiction of the SRO, Saidapet, Chennai owned by the respondent / landlord. Since the petitioner / tenant has not paid the monthly rent and maintenance, the respondent / landlord had filed OS.No.6799 of 2022 on the file of the XIV Assistant City Civil Court, Chennai seeking to quit and deliver possession of the suit scheduled property. The suit came to be allowed on 20.12.2023. Meanwhile, the respondent filed E.P.No.1253 of 2024 before the XXV Assistant City Civil Court at Chennai. Since the petitioner did not appear before the Execution Court, she was set *ex parte*. Thereafter, the respondent has filed EA.No.4 of 2025 for break open and EA.No.5 of 2025 for police aid. The execution Court by an order dated 14.03.2025 has allowed those petitions, against which the present revision has been filed.

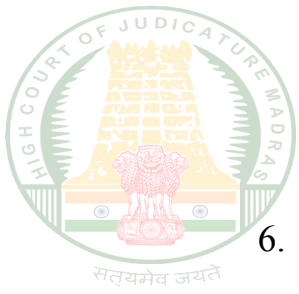


C.R.P.No.1375 of 2025

3. Mr.R.Thirumoorthy, the learned Counsel for the petitioner would submit that the petitioner who is present before this Court has decided to vacate and handover possession and would further submit that the mother of the petitioner is aged, requiring continuous personal care and medical attention and that her son is studying in Narayan E-techno School, Velacherry and thereby requires sometime to vacate. He would submit that the civil revision petition may be disposed of based on the undertaking affidavit filed by the petitioner to vacate the premises on or before 23.06.2025.

4. Mr.A.Natarajan, the learned Senior Counsel appearing on behalf of the respondent / landlord would submit that after deducting the advance amount, the petitioner is still in arrears of rent to the tune of Rs.31,00,000/-. However, he would submit that the civil revision petition may be disposed of based on the undertaking to vacate the premises.

5. Heard the petitioner who is present in person before this Court. She has filed an affidavit of undertaking agreeing to vacate and handover possession to the respondent on or before 23.06.2025.



C.R.P.No.1375 of 2025

6. In view of the above, the Civil Revision Petition stands disposed of

directing the petitioner / tenant to vacate and handover the vacant possession of the suit scheduled premises on or before **23.06.2025**. No costs. Consequently, connected miscellaneous petition is closed.

Post the matter for reporting compliance on **25.06.2025**.

23.04.2025

Index : Yes / No

Neutral Citation : Yes / No
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To

1. D.Raj Kumar
S/o.Deivasigamani, No.35, 4th Street,
Rajappa Nagar, MC Road, Thanjavur.
2. XIV Assistant City Civil Court, Chennai.
3. XXV Assistant City Civil Court, Chennai.



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A.D.JAGADISH CHANDIRA, J.

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