



WEB COPY

CMP No. 12851 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-06-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CMP No. 12851 of 2025

IN

CRP NO. 1384 OF 2025

Fazil.A.S.

S/o Ahmed Sheriff, Garden Bakery, 32,
Garden Road, Udthagamandalam & 4
others

Appellant(s)

Vs

M.Ashok Chand

S/o. Late. S. Mothilal, D.No.129, Main
Bazar, Udagamandalam, The Nilgiris &
36 others

Respondent(s)

For Appellant(s): Mr.K.C.Karl Marx

For Respondent: Mr.Vishnu Manoharan
for Mr.Vishnu Mohan
for R1
Mr.P.Prithvi Chopda
for R25 and R26



ORDER

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This petition has been filed by the tenants seeking extension of time by four months to vacate the shop under their occupation, as per the order of this Court in C.R.P.No.1384 of 2025, dated 29.04.2025.

2.The above Civil Revision Petition filed by the tenants as against the order of eviction passed by the Rent Controller, Udhagamandalam, in E.A.No.4 of 2024 in E.P.No.43 of 2014, was disposed of by this Court by order dated 29.04.2025, directing the petitioners/tenants to surrender/hand over the vacant possession of the shop under their occupation, to the landlords, on or before 31.05.2025, as per their undertaking before this Court. It is pertinent to note that, though the petitioners sought time till 31.12.2025, this Court granted time only till 31.05.2025 to vacate the premises.

3.However, now, once again, the petitioners have taken out the present petition to extend the time till 30.09.2025 to vacate the premises. It is the contention of the petitioners that they could not find an alternative place to



transfer and relocate their shop, since the shop is located at a busy tourist spot at Ooty.

4.This Court is of the view that, once a party files an affidavit of undertaking before this Court, he/she has to honour the undertaking without any violation. As a matter of right, the party cannot seek extension of time. Hence, this Court is not inclined to show any indulgence to the petitioners.

5.Accordingly, this Civil Miscellaneous Petition is dismissed. The petitioners/tenants are directed to vacate and hand over vacant possession of the shop occupied by them, to the landlords, on or before 30.06.2025, failing which, the Execution Court shall immediately issue warrant as against the tenants. In the event of petitioners still not vacating the premises, it is made clear that they will be proceeded for contempt of Court.

13-06-2025

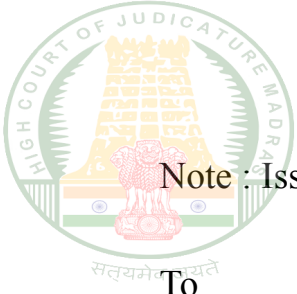
mkn

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



Note : Issue order copy on 19.06.2025.

To

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1.The Rent Controller,
Udhagamandalam,
The Nilgiris District.

2.M.Ashok Chand
S/o. Late. S. Mothilal, D.No.129, Main
Bazar, Udagamandalam, The Nilgiris.

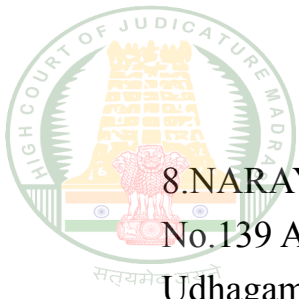
3.M. Dharam Chand
S/o. Late. S. Mothilal, D.No.129, Main
Bazar, Udagamandalam, The Nilgiris.

4.M. Jai Chand
S/o. Late. S. Mothilal, D.No.129, Main
Bazar, Udagamandalam, The Nilgiris.

5.M. Vijai Chand
S/o. Late. S. Mothilal, D.No.129, Main
Bazar, Udagamandalam, The Nilgiris.
S.Mothilal (Since Deceased),
B.F.Leelabai(Since Deceased)

6.M Pushpalatha
D/o. Late Mothilal, Residing at Main
Bazar, Ooctacamund, K.Bujanga
Rao(Deceased)

7.Sumathi B. Rao
W/o. late. K. Bujanga Rao Expresso
Coffee House, Garden Road,
Udhagamandalam



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8.NARAYANDASS

No.139 A and C Garden Road,
Udhagamandalam.

9.GANESHAN

No.139 A and C, Garden Road,
Udhagamandalam.

10.A.K. Chinnaiah

Father Name Not Known, No.139 A
and C, Garden Road,
Udhagamandalam.

11.A.S.Anwar

residing at Garden Bakery, Garden
Road, Udhagamandalam.

12.A.S.Abdul Gani,

S/o. Ahemd Sheriff,residing at Garden
Bakery, Garden Road,
Udhagamandalam.Rahima Bi (Since
Deceased) Ragavendra Rao (Since
Deceased)

13.R. Kumar,

Son of Ranjith, Renjith Refineries,
Garden Road, Udhagamandalam.

14.Arun Singh,

Renjith Refineries, Garden Road,
Udhagamandalam,

15.Sri Balaji,

Mini Super Market, Garden
Road,Udhagamandalam,



16.P.Samuel,
son of Pakiyanathan, Balaji Medicals
and Trading Agencies, Garden Road,
Udhagamandalam.M.A.Jayaraj (Since
Deceased)

17.Messrs Heeramul Garden Road,
Udhagamandalam,

18.Dr. Ravi Thilagaraj
son of Thilagaraj, Bharathi Clinic,
Garden Road, Udhagamandalam,

19.Mani Achari,
D.No.139 A and C Garden Road,
Udhagamandalam,

20.Bhojan,
Fine Chicken Centre, Garden Road,
Udhagamandalam,

21.Radhakrishnan
son of Bujanga Rao, Express Coffee
House, Udhagamandalam,

22.Jayalakshmi
Daughter of Bhujaranga Rao, Expresso
Coffee House, Udhagamandalam,

23.Bhargavi wife of Ragavendra Rao
and Raghu
Residing at Expresso Coffee House,
Garden Road, udhagamandalam

24.Sri Ram son of Ragavendra Rao and
Raghu



Residing at Espresso Coffee House,
Garden Road, udhagamandalam

WEB 25.Sri Krishna

son of Ragavendra Rao residing at
Espresso Coffee House, Garden Road,
Udhagamandalam.

26.S Kanthilal

S/o. K.S.Santhilal , Residing at 128,
Main Bazaar, Udhagamandalam.

27.S Lalithkumar

S/o.K.S.Santhilal Residing at 128,
Main Bazaar, Udhagamandalam.

28.S Mahaveerchand

S/o. K.S.Santhilal Residing at 128,
Main Bazaar, Udhagamandalam.

29.Balchand

S/o. K.S.Santhilal Residing at 128,
Main Bazaar, Udhagamandalam. Asi
Bai (Since Deceased)

30.Kamma Bai

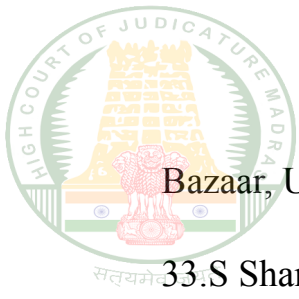
D/o. Late Simrathmull, Residing at 128,
Main Bazaar, Udhagamandalam.

31.Magha Bai

D/o. Late Simrathmull, Residing at 128,
Main Bazaar, Udhagamandalam.

32.Kamala Bai

D/o. Late Simrathmull, D/o. Late
Simrathmull, Residing at 128, Main



Bazaar, Udhagamandalam.

33.S Shanthilal

S/o.Late Simrathmull, Residing at 128,
Main Bazaar, Udhagamandalam.

34.Bhagyashree Jayaraj

W/o.Late M.A.Jayaraj, Residing at
D.No.211,Kailasam Pillai Line,
Lakshmi Narayan Puram, Bandisolai,
Ootacamund Taluk, The Nilgiris
District

35.J Mohan

Son of Late M.A.Jayaraj, Residing at
D.No.211,Kailasam Pillai Line,
Lakshmi Narayan Puram, Bandisolai,
Ootacamund Taluk, The Nilgiris
District

36.J Mini

D/o. Late M.A.Jayaraj, Residing at
D.No.211,Kailasam Pillai Line,
Lakshmi Narayan Puram, Bandisolai,
Ootacamund Taluk, The Nilgiris
District

37.J Sheele

D/o. Late M.A.Jayaraj,Residing at
D.No.211,Kailasam Pillai Line,
Lakshmi Narayan Puram, Bandisolai,
Ootacamund Taluk, The Nilgiris
District

38.J Sumi

Daughter of Late M.A.Jayaraj, Residing



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at D.No.211,Kailasam Pillai Line,
Lakshmi Narayan Puram, Bandisolai,
Ootacamund Taluk, The Nilgiris
District

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N.SATHISH KUMAR J.

mkn

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