



C.R.P.No.1308 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 28.03.2025

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

C.R.P.No.1308 of 2025

and

C.M.P.No.7773 of 2025

Krishnan Kutty,
carrying on business at Shop No.10,
Ground Floor, Old No.11, New No.21,
Venkatesan II Street,
Anna Salai, Chennai - 600 002.

... Petitioner

Vs

M/s. Ismail Musa Wakf
Represented by its Muthavalli,
Mr.Aejaz Sait,
"Yafa Guest House", 4th Floor, No.22,
Model School Road, Chennai - 600 006

... Respondents

PRAYER : Civil Revision Petition filed under Section 25(1) of the Tamil Nadu Building (Lease and Rent Control) Act, 1960 to set aside the order dated 09.10.2023 passed by the learned VII Judge, Small Causes Court, Chennai in RCA No.35 of 2018 confirming the order dated 29.06.2017 passed by the learned XVI Judge, Small Causes Court, Chennai in RCOP No.1990 of 2013.



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For Petitioner : Mr. N. Saravanan

For Respondent : Mr. K.P.Ashok

ORDER

To set aside the concurrent findings of the Court below ordering eviction of the revision petitioner on the ground of demolition and reconstruction, the present Civil Revision Petition has been filed.

2. When the matter is taken up today, the revision petitioner has filed an Undertaking Affidavit before this Court stating that he is ready and willing to vacate the tenancy portion and hand over the said premises to the respondent within a period of one year. The Undertaking Affidavit dated 27.03.2025 filed by the petitioner is taken on record.

3. Taking note of the fact that the Original Petition is of the year 2013, as the eviction has been ordered for demolition and reconstruction, one year time is too long. However, taking into consideration the nature of the business of the



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revision petitioner and in order to establish his business in some other place,

reasonable time is required.

4. It is also to be noted that this Court, in respect of the revision petition filed by the Co-tenant in CRP(NPD) NO.36 of 2025, dismissed the revision petition vide order dated 08.01.2025, however, granted seven months time, i.e., on or before 08.08.2025, to the co-tenant to vacate the premises.

5. Accordingly, this Civil Revision Petition is dismissed confirming the order of the Courts below. No costs. The revision petitioner has to vacate and hand over the premises **on or before 08.08.2025**. It is made clear that in the event the revision petitioner fails to vacate and hand over the premises on or before 08.08.2025, he will be liable to be proceeded for contempt. Consequently, connected miscellaneous petition is closed.

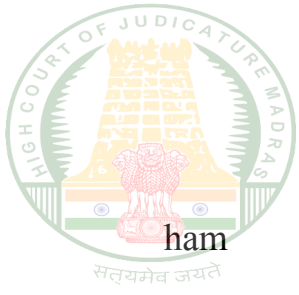
28.03.2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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A.D.JAGADISH CHANDIRA, J.

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To

1. The VII Judge,
Small Causes Court, Chennai.
2. The XVI Judge,
Small Causes Court, Chennai.
3. The Section Officer,
VR Section, High Court of Madras.

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and C.M.P.No.7773 of 2025**



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