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CRP NPD.No.77 of 2024

THE HIGH COURT OF JUDICATURE AT MADRAS

Date : 11.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

CRP [NPD] No.77 of 2024

P.Padma Pranesh

. . . Petitioner

Versus

Kousalya Raveendran

. . . Respondent

PRAYER : Petition filed under Article 227 of Constitution of India to set aside the Order dated 05.09.2023 passed in I.A.No.5 of 2023 in O.S.No.199 of 2022 on the file of the II Additional Subordinate Judge, Coimbatore.

For petitioner : Mr.M.Dinesh Sharma

For respondent : Mr.B.Pachiyappan



CRP NPD.No.77 of 2024

ORDER

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Challenge has been made to the Order of dismissal passed by the trial Court in an application filed to condone the delay of 123 days in filing an application to set aside the exparte decree and judgment dated 09.09.2022 passed against the revision petitioner, in the present Civil Revision Petition.

2. When the Civil Revision Petition is taken up today, the learned counsel appearing for the petitioner filed an undertaking affidavit filed by the revision petitioner stating that she will vacate the premises on or before 31.12.2025. She had also stated in the affidavit that she had already paid entire arrears of rent and she will continue to pay the rent till she vacate the premises.

3. The undertaking affidavit filed by the revision petitioner is taken on record.

4. Accordingly, the revision petitioner shall vacate the premises on or before 31.12.2025 and till such time she shall continue to pay the rent. It is



CRP NPD.No.77 of 2024

made clear that in the event of any violation of the undertaking given before this Court, the revision petitioner will be proceeded for contempt. The amount deposited by the revision petitioner to the credit of O.S.No.199 of 2022 shall be refunded to the respondent on appropriate application being filed. The trial Court shall keep in abeyance the Execution Petition till December 2025. Thereafter, in the event, the petitioner vacated the premises, the Execution Petition shall be terminated. Otherwise, the Execution Petition shall be continued.

5. With the above directions, this Civil Revision Petition is disposed of.

No costs.

11.06.2025

Index : Yes / No

Internet: Yes

Speaking/non speaking order

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To,

The II Additional Subordinate Judge,
Coimbatore.

Page 3 / 4



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CRP NPD.No.77 of 2024

N. SATHISH KUMAR, J.

vrc

CRP NPD No.77 of 2024

11.06.2025