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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.10.2025

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

A.S.No.953 of 2025

& CMP.No.22535 of 2025

Tansowa Aadharavu Illam @
Tamilnadu Social Welfare Association Aadharavu Illam,
Represented by an In-charge,
Mr.Vadivel, or any person claiming to be the Bearer
of the said Association,
New Door No.43, Old Door No.17A,
Razak Garder Main Road,
Arumbakkam, Chennai 600 106.

[The petitioner has not recognized
them as occupant of the premises
but obstructor is impleaded as per
amin's report]

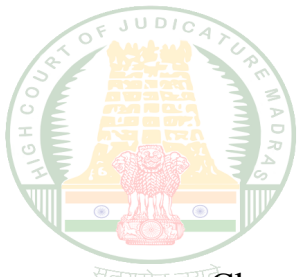
... Appellants

Vs.

1.G.Venkatesa Perumal
2.D.Padmalaatha
3.Sundaramurthy

... Respondents

Prayer: Appeal Suit filed under Section 96 of the Code of Civil Procedure,
to set aside the fair and final order in E.A.No.02 of 2023 in E.P.No.699 of
2022 dated 04.09.2025 on the file of the XVI Court of Small Causes,



Chennai.

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For Appellant : Mr.S.Rakesh

For Respondents : Mr.R.Thirugnanam for RR1 & 2
R3 not ready in notice

JUDGMENT

The appellant has filed an affidavit, after serving a copy of the same on the learned counsel for the respondents. The appellant has suffered a decree for ejectment and challenging the said decree, the present appeal suit has been preferred.

2.The appellant, at the last hearing, submitted that an Orphanage is being run in the suit property and the appellant requires sufficient time to vacate and hand over portion.

3.Today, one Mr.Vadivel, representing the appellant/Association has filed an affidavit. At paragraph No.6, he has stated as follows:

“6.I submit that in the meantime, I or any person in the name of Aadharavu Illam shall not file any application before



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any Court either to delay the handing over or challenging the any order. I should handover the premises on or before 31.03.2026 during the time, I should pay the rent regularly to the 1st and 2nd respondents and I should not cause any damage and repair to the premises. So far the Aadharavu Illam paying rent regularly to the 1st and 2nd respondents and there is no arrears payable to them.”

The said affidavit of undertaking is recorded and the appellant is granted time to vacate and hand over vacant possession of the suit property on or before 31.03.2026.

4.In view of the undertaking affidavit being filed, I do not deem it necessary to dwelve into the memorandum of grounds of appeal raised in the appeal suit, as the appellant has voluntarily come forward to comply with the decree, which is under challenge in the appeal.

5.Recording the affidavit of undertaking, the Appeal Suit is dismissed. However, the appellant is granted time till 31.03.2026, to vacate and hand over vacant possession to the respondents. The appellant is also undertaking to pay the admitted rents, till such time, he vacates and hand overs vacant possession to the respondents. The undertaking affidavit of Mr.Vadivel shall



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form part and parcel of the decree. No costs. Connected Civil Miscellaneous

Petition is closed.

13.10.2025

Speaking/Non-speaking : Yes/No

Index : Yes / No

Internet : Yes / No

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To

4/6



The XVI Court of Small Causes, Chennai.

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P.B. BALAJI,J.

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