



WEB COPY



C.R.P.No.5332 of 2025

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**Dated : 07.11.2025**

**CORAM:**

**THE HONOURABLE MR.JUSTICE P.B.BALAJI**

**C.R.P.No.5332 of 2025**

**and**

**CMP.No.26837 of 2025**

Sree Annamalaiyar Educational Trust,  
Represented by Mr.P.Navamani,  
C/o. Madras Institute of Hotel Management  
and Catering Technology,  
60, Poonamalle High Road,  
Kumananchavadi,  
Kattupakkam, Chennai – 600 046.

... Petitioner

**Vs.**

Saraswathi Educational Cultural and Charitable Trust,  
Rep.by Mrs.Priyadarshini Rajkumar,  
C/o. Irrigation Products International Private Limited,  
2<sup>nd</sup> Floor, 4/113 East Coast Road,  
Neelankarai, Chennai – 600 115

... Respondent

Civil Revision Petition filed under Section 115 of the Civil Procedure Code, to set aside the fair order and decretal order dated 16.09.2025 passed in E.P.No.164 of 2023 on the file of the Additional District Munsif Judge at Poonamallee to enforce order passed in R.L.T.O.P.No.34 of 2022 on the file of the learned Principal District



C.R.P.No.5332 of 2025

Munsif cum Rent Court, Poonamallee and allow the Civil Revision Petition.

For Petitioner : Mr.Veerabathiran  
for Mr.R.Ashraf Khan

For Respondents : Mr.V.Prakash,  
Senior Counsel  
for Ms.C.Shankary

### **ORDER**

In pursuance of the earlier hearings and the settlement talks, today, the Managing Trustee of the petitioner/tenant has filed an affidavit dated 07.11.2025. In the said affidavit, it has been undertaken that the petitioner would vacate and handover vacant possession of the tenanted premises, on or before 31.01.2026. Further, towards arrears of rent , an amount of a sum of Rs.20,00,000/- by way of post dated cheque bearing No.261127 dated 29.11.2025 drawn on Axis Bank, Poonamallee Branch has also been handed over to the counsel on record for the respondent/landlord.

2. The affidavit also clearly states that in the event of the said



C.R.P.No.5332 of 2025

WEB COPY

cheque not been honoured, then the petitioner is not entitled to the benefit of time, to stay in the premises till 31.01.2026 and it shall be open to the respondent/landlord to proceed to execute the decree for eviction.

3. Mr.V.Prakash, learned Senior Counsel appearing for the respondent has only one reservation with regard to the averment in paragraph 2 of the said affidavit of the Managing Trustee of the petitioner, where it is stated that the agreed arrears rent amount of Rs.20,00,000/-, which according to the respondent is not the actual arrears payable by the petitioner and it is roughly a sum of Rs.48,00,000/-.

4. However, according to Mr.Veerabathiran, learned counsel for the petitioner, the arrears amount is only Rs.15,00,000/-. Leaving the issue of actual arrears of rent payable by the petitioner open to be decided in other proceedings, the affidavit of the petitioner in all other respects is recorded.

5. In view of the above, while confirming the order passed in the execution petition, time is granted to the petitioner to vacate and handover



C.R.P.No.5332 of 2025

vacant possession of the tenanted premises on or before 31.01.2026, subject to the post dated cheque dated 29.11.2025 for Rs.20,00,000/- being honoured. It is also made clear that the petitioner shall not induct any new students on and from today and also shall not inducting third party into possession of the property and without driving the respondent to execute the eviction through Court, possession shall be handed over, as undertaken by the affidavit.

6. In the result, this Civil Revision Petition is disposed of. Consequently, the connected Miscellaneous Petition is closed. No costs

**07.11.2025**

Index : Yes/No  
Neutral Citation : Yes/No  
Speaking/Non-Speaking Order  
kv

To

1. The Additional District Munsif Judge at Poonamallee.



C.R.P.No.5332 of 2025

2. The Principal District Munsif cum Rent Court, Poonamallee.

WEB COPY



WEB COPY



C.R.P.No.5332 of 2025

**P.B.BALAJI, J.**

kv

**C.R.P.No.5332 of 2025**

**07.11.2025**