



C.R.P.(MD)No.351 & 352 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.07.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)Nos.351 & 352 of 2022

and

C.M.P.(MD)Nos.1543 & 1544 of 2022

C.R.P.(MD)No.351 of 2022:

- 1.Deva Prakasam (Died)
- 2.Vasantha
- 3.John Paul
- 4.Sunitha Charley

...Petitioners

Vs.

- 1.Sheik Muhammaed
- 2.Eben Penitta

...Respondents

PRAYER: Civil Revision Petition is filed under Section 25 of Tamilnadu Buildings (Lease and Rent Control) Act, praying to set aside the Judgment and decree order dated 10.12.2021, passed in R.C.A.No.1 of 2017 on the file of the Rent Control Appellate Authority/Subordinate Judge, Tiruchendur, confirming



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the Order and Decree dated 27.01.2017 passed in R.C.O.P.No.6 of 2014, on the file of the Rent Controller / District Munsif, Tiruchendur.

For Petitioners : Mr.C.Dhanaseelan

For Respondent No.1 : Mr.A.Mohamed Haneef

For Respondent No.2 : No appearance

C.R.P.(MD)No.352 of 2022:

John Paul

...Petitioner

Vs.

Sheik Muhammaed

...Respondent

PRAYER: Civil Revision Petition is filed under Section 25 of Tamilnadu Buildings (Lease and Rent Control) Act, praying to set aside the Judgment and decree order dated 10.12.2021, passed in R.C.A.No.1 of 2017 on the file of the Rent Control Appellate Authority/Subordinate Judge, Tiruchendur, confirming the Order and Decree dated 27.01.2017 passed in R.C.O.P.No.7 of 2014, on the file of the Rent Controller/District Munsif, Tiruchendur.

For Petitioner : Mr.C.Dhanaseelan

For Respondent : Mr.A.Mohamed Haneef



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COMMON ORDER

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These petitions have been filed seeking to set aside the Judgment and decree dated 10.12.2021, passed in R.C.A.No.1 of 2017 on the file of the Rent Control Appellate Authority/Subordinate Judge, Tiruchendur, confirming the Order and Decree dated 27.01.2017 passed in R.C.O.P.Nos.6 & 7 of 2014, on the file of the Rent Controller / District Munsif, Tiruchendur.

2.Learned Counsel for the petitioners would submit that the petitioners are the tenants. They suffered an order of eviction by the Lower Court as well as the Lower Appellate Court. However, during the pendency of these Civil Revision Petitions, the matter was compromised between them and they file an undertaking affidavit before this Court to vacate the premises on or before 30.09.2025, however on condition that the first respondent shall refund the advance amount of Rs.3,42,000/- and agreed to pay the rent for three months.

The undertaking is as follows:

“4.I submit that in view of the compromise arrived between me and the first respondent / landlord, I undertake to vacate the premises subjected in the above CRPs' and handover the key on or before 30th day of September 2025 on condition that the first respondent



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shall refund the advance amount of Rs.3,42,000/- (Three Lakhs Forty Two Thousand Rupees) paid by us towards advance amount for both the premises subjected in the above CRPs' and this fact may be recorded and I pray for the disposal of the above CRPs accordingly and thus render justice.”

3. Accordingly, these Civil Revision Petitions are disposed of, with the above terms. If the petitioners fail to vacate the premises on or before 30.09.2025, even after receipt of the advance amount, liberty is granted to the first respondent to evict the petitioner with the help of the local police. The undertaking shall form part of this order. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

09.07.2025

Internet: Yes/No

Index: Yes/No

MR



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To

- 1.The Rent Control Appellate Authority / Subordinate Judge,
Tiruchendur.
- 2.The Rent Controller / District Munsif,
Tiruchendur.
- 3.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

MR

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