



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.08.2025

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THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(PD)(MD)No.2151 of 2025

and

C.M.P.(MD).No.12547 of 2025

Malik Mohammed (died)

1.Gulzar Regina

2.Bima Beevi

3.Ribaya Parvin

4.Asina Mukujabeevi

...Petitioner

Vs.

Lakshmi (died)

1.Kathirvel

2.Shanmugam

3.Natarajan

4.Bagavathiappan

...Respondents

PRAYER: Civil Revision Petition is filed under Section 115 CPC to set aside the fair and decretal order dated 04.07.2025 made in E.P.No.90 of 2023 in R.C.O.P.No.59 of 2016 on the file of the Principal District Munsif Court Tirunelveli and allow the civil revision petition.



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For Petitioners : Mr.P.Rajagopalan

For Respondents : Ms.S.Meena

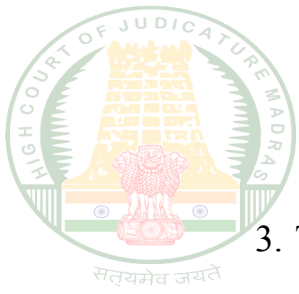
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ORDER

This petition has been filed to set aside the fair and decreetal order dated 04.07.2025 made in E.P.No.90 of 2023 in R.C.O.P.No.59 of 2016 on the file of the Principal District Munsif Court Tirunelveli.

2. The deceased Lakshmi initiated rent control proceedings in R.C.O.P.No.59 of 2016 before the Rent Controller, Tirunelveli, against the father of the petitioners, Malik Mohamed, seeking eviction under Section 10(2) (i) of the Tamil Nadu Buildings (Lease and Rent Control) Act, 1960. The said petition was allowed on 30.01.2020. Aggrieved by the said order, the said Malik Mohamed preferred an appeal in R.C.A.No.3 of 2020 before the Rent Control Appellate Authority, Tirunelveli, and the same was dismissed on 13.09.2022. Thereafter, the said Lakshmi filed an Execution Petition in E.P.No. 90 of 2023 before the Rent Controller (Principal District Munsif Court), Tirunelveli, seeking delivery of possession of the petition mentioned property. Pending the said execution proceedings, Lakshmi passed away, leaving behind the respondents herein as her legal heirs. On 04.07.2025, the Executing Court passed a final order directing delivery of possession to the respondents.

Challenging the said order, the present Civil Revision Petition has been filed.



3. Today, when the matter was taken up for hearing, the learned counsel appearing for the petitioners filed an affidavit before this Court, undertaking that the petitioners will vacate the petition mentioned property on or before 07.11.2025.

4. The learned counsel appearing for the respondents has no serious objection to the said undertaking.

5. In view of the above submissions and in order to give quietus to the issue, this Court passes the following directions:

(i) The petitioners shall vacate and hand over possession of the petition mentioned property to the respondents on or before 07.11.2025.

(ii) The petitioners shall deposit the arrears of rent amounting to Rs.2,00,000/- (Rupees Two Lakhs only) to the respondents within a period of four weeks from the date of receipt of a copy of this order.

(iii) The petitioners shall also continue to pay monthly rent of Rs.3,000/- (Rupees Three Thousand only) on or before the 7th day of each English calendar month up to and including November 2025.

(iv) If the petitioners fail to vacate the property on or before 07.11.2025, liberty is granted to the respondents to approach the jurisdictional police station for appropriate assistance in evicting the petitioners forthwith.



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6. In view of the above directions and the undertaking given by the petitioners, this Civil Revision Petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

07.08.2025

Internet: Yes/No

Index: Yes/No

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To

1. The Rent Control Authority (Principal District Munsif Court),
Tirunelveli.

2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court, Madurai.



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M.DHANDAPANI, J.

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