



CMP(MD) No.18851 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 09.12.2025

CORAM

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

**CMP(MD) No.18851 of 2025
in
CRP(MD). No.1797 of 2025**

Sri Subburama Iyer

... Petitioner

Vs

1.Prahadambal (died)
M.S.V.Rajagopalan (Died)
T.S.Chellammal (Died)

1.Jayasankar

2.R.Ambika Prasad

3.The President of Executive Committee
Sri Subburama Iyer Middle School
Pudukkottai.

4.The Headmaster
Sri Subburama Iyer Middle School
Pudukkottai.

5.The District Educational Officer
Office of the District Educational Office
Pudukkottai.



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6.The Chief Educational Officer
Office of Chief Educational Officer
Pudukkottai.

7.Director of School Education
Chennai.

... Respondents

PRAYER :-Civil Miscellaneous Petition filed under Section 148 of CPC, to grant an extension of four months time commencing from 29-12-2025 till 30-04-2026 in CRP (MD).No.1797 of 2025 order dated 30-06-2025.

For Petitioner : Mr.S.Ramakrishnan

For R1 & R2 : Mr.V.S.Badrinath

ORDER

This Civil Miscellaneous Petition has been filed to extend the time granted by this Court in CRP.(MD).No.1797 of 2025, dated 30.06.2025.

2.This Court, vide order dated 30.06.2025, in CRP(MD) No.1797 of 2025 had passed the following order:

“4.In view of the above, the petitioner is directed to hand over the possession to the respondents 1 & 2, within a period of six [6] months from today [ie., on or before 29.12.2025], failing which, the jurisdictional police is directed to vacate the petitioner and hand over possession to the respondents 1 & 2.”



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3.The petitioner is a tenant and is running a school in the premises.

One Prahadambal/the deceased respondent had filed a suit in O.S.No.333 of 1993 before the Principal Sub Court, Pudukkottai, for the relief of declaration of title and for recovery of possession. The same was decreed on 14.10.1999. The appeal filed by the petitioner in A.S.No.706 of 2003 was also dismissed by the first appellate Court, vide judgment dated 22.06.2017. Later, the respondents 1 to 5 herein had filed E.P.No.292 of 2020 under Order XXI Rule 35 of CPC, seeking delivery of possession, which was also allowed. As against the order passed by the Court below, the petitioner preferred CRP(MD)No.1797 of 2025 before this Court and the same was also disposed of, recording the affidavit filed by the petitioner, wherein, he has agreed that he will vacate the premises within six months, vide order, dated 30.06.2025. Based on the aforesaid undertaking, while disposing of the Civil Revision Petition, this Court directed the petitioner to vacate the premises and hand over the possession to the respondents on or before 29.12.2025. Now, the petitioner has come forward with this application.



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4.It is submitted by the learned counsel for the petitioner that the petitioner is running a school in the aforesaid place and since the period is now middle of the academic year, if a direction is given to vacate the premises immediately, it will cause great hardship to the students, who are studying in the said school. Thus, he prays this Court that four months time may be granted to the petitioner to vacate the premises and he also undertakes that the petitioner will vacate the premises in the last week of April, 2026.

5.The learned Counsel for the respondents 1 and 2 vehemently opposed the petition stating that while disposing of CRP(MD)No.1797 of 2025, this Court has granted time based on the undertaking affidavit filed by the petitioner. The petitioner is aware that he has to vacate the premises on or before 29.12.2025. Having filed the undertaking affidavit and obtained some benefits before this Court, the subsequent petition for extension of time cannot be maintained.

6.This Court considered the rival submissions and also perused the available materials.



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7.The petitioner is running a school and has lost his case in all the proceedings, however, this Court had granted him time for vacating the premises till 29.12.2025, based on his undertaking affidavit. Even thereafter, the petitioner has not taken any steps to find out an alternative place immediately. However, the petitioner undertakes before this Court that he will vacate the premises after the completion of the present academic year and requests for extending the time limit

8.Though this Court is not inclined to entertain this application, considering the fact that since the period is now middle of the academic year, it will cause great hardship to the students, who are studying in the said school, if a direction is given to vacate the premises, this Court, on humanitarian grounds, extends the time till 30.04.2026, as a last chance. It is made clear that the petitioner has to make his arrangements within the extended time limit and under no circumstances, the time limit would be extended. The petitioner has to vacate the premises on or before 30.04.2026 and hand over the possession to the respondents.



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9.This Civil Miscellaneous Petition is disposed of, accordingly.

10.Post the matter under the caption 'for reporting compliance' in the first week of June, 2026.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

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N.SENTHILKUMAR, J.

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