



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2026

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CMP No. 723 of 2026 in CRP SR No.5103 of 2026

1. S. Vijayakumar

S/o. M. Sivanandane, Saram Revenue

Village, RS No.182/5 Ground Floor, ECR

Main Raod, Laws pet, Puducherry - 605

008.

Petitioner

Vs

1. S. Dhanalakshmi

No.187, Buvankare Street, Mudaliarpeta,

Puducherry - 605 004.

2.E. Vinothkumar

Saram Revenue Village, Rs.No.182/5

Ground Floor, ECR Main Road, Lawspet,

Puducherry - 605 008.

Respondent(s)

For Petitioner : Ms.R.Ashwini

For Respondent(s): M/s.E.V.Chandru

ORDER

In pursuance of the order dated 03.02.2026, learned counsel Mr.J.E.R.Lenin has appeared and has fairly stated that he has already advised the petitioner that the petitioner has to abide by the affidavit of undertaking that has been filed before this Court in CRP No.5426 of 2025.



P.B.BALAJI.,J

sr

2. This Court has already recorded the said affidavit of undertaking and granted time to the petitioner to vacate on or before 31.01.2026. Learned counsel for the tenant who appeared in CRP No.5426 of 2025 Mr.J.E.R.Lenin has affirmed the factum of the filing of the affidavit of undertaking and that he has not been consulted or involved in the process of filing the present revision petition, that too with delay.

3. Learned counsel for the miscellaneous petitioner, after being brought to the notice about the earlier undertaking affidavit, has sought permission to withdraw CMP No.723 of 2026.

4. In the light of the above, a clarification obtained from Mr.J.E.R.Lenin, I am not inclined to entertain CMP No.723 of 2026 for condonation of delay in filing a fresh revision petition. CMP No.723 of 2026 is dismissed. It is made clear that as the petitioner has not adhered to the undertaking affidavit by vacating and handing over vacant possession on or before 31.01.2026, the respondent is at liberty to take possession through court process.

12.02.2026

sr

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