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C.R.P.Nos.4909 and 4910 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 09.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

C.R.P.Nos.4909 and 4910 of 2024

and

CMP.Nos.27533 and 27537 of 2024

M/s.Kesar Gift Mar (P) Ltd.,
Rep.by its Managing Director
Mr.Suresh Jain
V.D.S.House, No.41, Cathedral Road,
Chennai – 600 086.

... Petitioner

Vs.

1. Rajesh Kumar Agarwal

Hemant Kumar Agarwal (Decd.)

2. Arun Kumar Agarwal

3. Shashi Agarwal

4. Pooja Singhanian

5. Ashish Agarwal

6. Abhishek Agarwal

... Respondents

Prayer in CRP.No.4909 of 2024:- Civil Revision Petition filed under
Section 25 of the Tamil Nadu Buildings (Lease and Rent Control) Act 18



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of 1960 as amended by Act 23 of 1973, to set aside the order and decree dated 25.09.2024 passed in RCA No.82 of 2023 on the file of VII Judge, Small Causes Court, Chennai in confining the order and decree dated 16.06.2023 made in M.P.No.343 of 2019 in RCOP No.748 of 2017 on the file of XI Judge, Small Causes Court, Chennai.

Prayer in CRP.No.4910 of 2024:- Civil Revision Petition filed under Section 25 of the Tamil Nadu Buildings (Lease and Rent Control) Act 18 of 1960 as amended by Act 23 of 1973, to set aside the order and decree dated 25.09.2024 passed in RCA No.113 of 2023 on the file of VII Judge, Small Causes Court, Chennai, confining the order and decree dated 17.07.2023 made in RCOP.No.748 of 2017 on the file of XI Judge, Small Causes Court, Chennai.

For Petitioner
in both CRPs : Mr.K.V.Sundararajan

For Respondents
in both CRPs : Mr.Uttam Joseph Cheriyan
for Mr.George Cheriyan

COMMON ORDER

In compliance with the earlier order passed by this Court, the petitioner in the present Civil Revision Petitions has filed affidavits of undertaking stating that he would vacate and hand over vacant possession

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of the subject premises on or before 31.03.2026, without seeking any further extension of time and also undertaking not to induct any third party into possession till such time he vacates and hands over possession to the respondents/landlords.

2.The learned counsel for the petitioner would further bring to the notice of this Court that a sum of Rs.8,65,693/- has been paid towards arrears of rent for the period from November 2024 to March 2026 and the detailed break-up of the said amount has also been enclosed in a separate calculation sheet annexed to the affidavits of undertaking filed in both the Civil Revision Petitions. It is the further submission of the learned counsel for the petitioner that, as per the petitioner, there are no further arrears due.

3.Per contra, the learned counsel appearing for the respondents would dispute the calculations made by the petitioner and contend that, according to the respondents, rent only for a period of twelve months appears to have been credited pursuant to the earlier orders passed by this Court. However, this Court is not inclined to go into the minute details with regard to the payment of arrears, inasmuch as there exists a dispute

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with regard to the quantum of rent itself, which issue is left open to be agitated by the parties before the appropriate forum.

4.In the light of the above, recording the payment of a sum of Rs.8,65,693/- and the affidavits of undertaking filed by the petitioner, this Court directs the petitioner to vacate and hand over vacant possession of the premises to the respondents/landlords on or before 31.03.2026, as undertaken. Accordingly, these Civil Revision Petitions stand dismissed. Consequently, the connected Miscellaneous Petitions are closed. No costs.

09.02.2026

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

1. The VII Judge, Small Causes Court, Chennai.
2. The XI Judge, Small Causes Court, Chennai.



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P.B.BALAJI, J.

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