



WEB COPY

CRP No. 3302 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-03-2026

CORAM

THE HON'BLE MRS.JUSTICE N. MALA

CRP No. 3302 of 2025

AND

CMP NO. 18249 OF 2025

G.S.Vivekanandan

S/o. K. Subramaniam, Ground Floor, Plot No.30,
Third Cross Street, Siva Sakthi Nagar Extension-II,
Rajakilpakkam, Selaiyur Post, Chennai - 073.

..Petitioner(s)

Vs

Meena

W/o. Narayanasamy, Plot No.30, Third Cross
Street, Siva Sakthi Nagar Extension -II,
Rajakilpakkam, Selaiyur Post, Chennai - 073.

..Respondent(s)

CMP No. 18249 of 2025

G.S.Vivekanandan

S/o. K. Subramaniam, Ground Floor, Plot No.30,
Third Cross Street, Siva Sakthi Nagar Extension-II,
Rajakilpakkam, Selaiyur Post, Chennai - 073.

..Appellant(s)

Vs

Meena

W/o. Narayanasamy, Plot No.30, Third Cross
Street, Siva Sakthi Nagar Extension -II,
Rajakilpakkam, Selaiyur Post, Chennai - 073.

..Respondent(s)

CRP No. 3302 of 2025

To set aside the order dated 10.07.2025 passed in E.P.No.3 of 2024 in RLTOP. 9 of 2020 on the file of the Ld. District Munsif Court at Tambaram wherein the petitioner is directed to deliver the possession of the tenancy portion within two weeks.

**CMP No. 18249 of 2025**

To grant an interim stay of all further proceedings in E.P.No.3 of 2024 in RLTOP. No.9.2020 on the file of the Ld. District Munsif Court at Tambaram pending the disposal of the above main CRP in the interest of Justice.

CRP No. 3302 of 2025

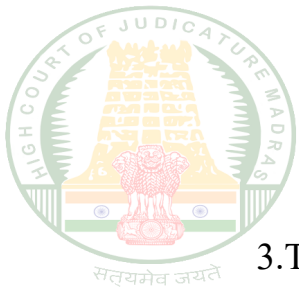
For Petitioner(s): M/s.A.Balaji
Govintaraj Kannan For Petitioner

For Respondent(s): M/s.K.P.Ashok
S.Suganya For Sole Respondent

Order

This petition has been filed to set aside the order dated 10.07.2025 passed in EP.No.3/2024 in RLTOP No.9/2020, on the file of the learned District Munsif, at Tambaram, wherein the petitioner is directed to deliver the possessions of the tenancy portion within two weeks.

2.The learned counsel for the respondent submitted that the averments in the affidavit of Undertaking were absolutely false and misleading. The learned counsel further submitted that only because of wilful default of the petitioner in remitting the rent, the eviction order was passed and therefore, the averments of the petitioner that he had been paying the rent regularly, is absolutely false. The learned counsel therefore prayed that the affidavit of Undertaking should not be accepted.



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3.The submission of the learned counsel for the respondent is fortified by the contradictory averments made in the Undertaking affidavit. For instance, in paragraph No.2 of the affidavit, the petitioner stated that he had been paying the rents regularly but contrary to the same, in paragraph No.5, it is stated that '*this Honourable Court has directed the landlady to waive the said involuntary rental defaults as it was not my intention to avoid payment of rents.*'

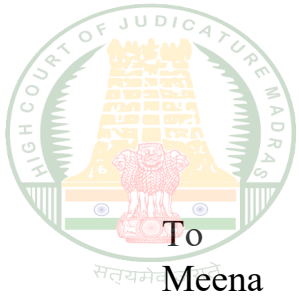
4.Confronted with the above contradictory averments in the Undertaking affidavit, the learned counsel for the petitioner submitted that he would file a fresh affidavit of Undertaking and sought time.

5.Time as prayed for, is granted, however, it is made clear that if the affidavit of Undertaking to be filed before this Court is not satisfactory, then the matter will be heard on merits. The petitioner is directed to give an advance copy of the better affidavit of Undertaking to the learned counsel for the respondent to enable him to get instructions from his client.

6.Post the matter on 13.03.2026.

10-03-2026

dna/AP



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CMP No. 18249 of 2025

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N.MALA J.

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