

ITEM NO.31

COURT NO.13

SECTION XII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No. 10008/2023

(Arising out of impugned final judgment and order dated 02-09-2022 in CRPMD No. 142/2009 passed by the High Court of Judicature at Madras at Madurai)

SUNDARA RAJ (DIED) THROUGH LRS.

Petitioner(s)

VERSUS

VASANTHA GLADIAS DAISY

Respondent(s)

(FOR ADMISSION and I.R. and IA No.109360/2023-CONDONATION OF DELAY IN FILING and IA No.109359/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.109362/2023-EXEMPTION FROM FILING O.T. and IA No.109364/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Date : 18-10-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.K. MAHESHWARI
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s)

Mr. G. Ananda Selvam, Adv.
Mr. Mayilsamy K., Adv.
Mr. Kishore Hussain, Adv.
Mr. Sanchit Maheshwari, Adv.
Ms. Lakshmi Ramamurthy, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Delay condoned.

We do not find any ground to interfere with the impugned order passed by the High Court. The special leave petition is, accordingly, dismissed. Pending applications stand disposed of.

Learned counsel for the petitioners prays for time to vacate the suit premises. However, in the facts and circumstances of the case, we direct that the suit premises shall be vacated by the petitioners on or before 31.12.2023 subject to payment of arrears of rent within one month and regular rent on month to month basis. The petitioners shall hand over the vacant possession of the suit premises to the respondent on or before 31.12.2023 and shall not part with or create third party right therein.

The petitioners shall file a usual undertaking in this regard within a period of two weeks from today before the Registrar, Madras High Court. The violation of the aforesaid terms would be treated as non-compliance of the order of this Court.

Ordered accordingly.

(NIDHI AHUJA)
AR-cum-PS

(VIRENDER SINGH)
BRANCH OFFICER