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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-07-2026

CORAM

THE HON'BLE MR.JUSTICE P.B. BALAJI

CRP No. 209 of 2026 and
CMP No.862 of 2026

S.Karthikeyan, s/o.V.Seeniappa,
Prop.Sri Murugan Traders,
Ground Floor, Situated at facing road side,
Door No.51-A, 4th Cross Street,
M.K.B.Nagar, Chennai 600 039.

..Petitioner(s)

Vs

S.Chandra, W/o. M.Surendra Kumar,
No.27/33, Polu Naicken Street,
Pulianthope, Chennai 600 012,
Rep. by its power agent,
M.Surendra Kumar, S/o.Late Mohanlal,
No.27/33, Polu Naicken Street,
Pulianthope, Chennai 600 012.

..Respondent(s)

Prayer: Civil Revision Petition is filed under Section 115 of CPC to set aside the impugned docket order dated 08-12-2025 passed in EP.No.1102 of 2025 in RLTOP.No.44 of 2025 on the file of the XII Small Causes Court, Chennai and the further execution proceedings, and consequently direct the Learned XIX Additional City Civil Court, Chennai to dispose of the stay petition in RLTA.No.212 of 2025, within a time to be fixed by this Court on merits.

For Petitioner(s): Mr. S.Ravichandran

For Respondent(s): Mr.S.Ramesh Kumar

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ORDER

This Civil Revision Petition has been filed to set aside the impugned docket order dated 08-12-2025 passed in EP.No.1102 of 2025 in RLTOP.No.44 of 2025 on the file of the XII Small Causes Court, Chennai and consequently direct the Learned XIX Additional City Civil Court, Chennai to dispose of the stay petition in RLTA.No.212 of 2025, within a time to be fixed by this Court on merits.

2. Heard Mr.S.Ravichandran, learned counsel for the petitioner and Mr.S.Ramesh Kumar, learned counsel for the respondent.

3. The prayer sought for in this civil revision petition is very limited. The petitioner is a tenant, who suffered an order of eviction in RLTOP No.44 of 2025. Aggrieved by the said eviction order, the petitioner preferred an appeal in RLTA No.212 of 2025, which is pending before the XIX Additional Judge, City Civil Court, Chennai. According to the petitioner, taking advantage of the fact that there is no interim stay granted by the Rent Tribunal, the respondent has initiated E.P.No.1102 of 2025 to execute the eviction order, which has been mechanically taken on file by the executing court, namely XII Judge, Small Causes Court, Chennai. The learned counsel for the petitioner therefore states that the execution proceedings are pre-mature and have to be necessarily

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decided by allowing the civil revision petition.

4. Per contra, the learned counsel for the respondent/landlord states that the when there is no interim stay granted by the Rent Tribunal, nothing prevents the respondent/landlord from initiating the execution proceedings and also even taking possession of the tenanted premises.

5. Admittedly, despite pendency of RLTA No.212 of 2025, till date, the petitioner has not been able to obtain interim stay of the execution proceedings. However, It is brought to my notice that, RLTA is now posted to 05.08.2026 for arguments.

6. In the light of the above, this civil revision petition is dismissed with the following directions:-

i) The Rent Tribunal, namely XIX Additional Judge, City Civil Court, Chennai shall dispose of RLTA No.212 of 2025, on or before 31.08.2026,

ii) Subject to the decision in the RLTA, it shall be open to the respondent to execute the decree, including proceeding with the execution petition.

There shall be no order as to costs. Connected miscellaneous petition is closed.

29-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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To

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1. The XIX Additional Judge, City Civil Court, Chennai.

2. The XII Judge, Small Causes Court, Chennai.

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P.B.BALAJI, J.

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