



WEB COPY

CRP No. 3756 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-07-2026

CORAM

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

**CRP No. 3756 of 2026 and
CMP No.16281 of 2026**

Indira Priya, W/O G.Vijaya Kumar,
No.1, Abirami Street,
Puraswakkam, Chennai-600 007.

..Petitioner(s)

Vs

1. S.Umashankar
s/o T.K.M.Sabapathy Mudaliar,
No.10, Chinna Street, Kundrathur,
Kancheepuram District - 600 069.

2. B.Jagadeeswaran
s/o S.Bhuvaneswaran,
No.37, Big Steet, Kundrathur,
Chennai – 600069.

..Respondent(s)

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the impugned order dated 18-04-2026 passed in MP.No.5 of 2026 in RLTOP.No.598 of 2023 on the file of the XV Judge, Small Causes Court, at Chennai and allow the CRP and consequently direct the learned IV Addl. Judge, City Civil Court at Chennai to take EX R-1 letter dated 25.02.2018, Ex R-2-Lease deed dated 01-05-2018 and Ex R-3 letter dated 03.01.2020 into consideration and to decide the RLTA.No.103 of 2026 in the light of contents of the Ex R 1 Ex R2 and Ex R3.



For Petitioner(s): Mr. N.Gyanchand Jain

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

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ORDER

This civil revision petition has been filed seeking to set aside the order dated 18-04-2026 passed in MP.No.5 of 2026 in RLTOP.No.598 of 2023 on the file of the XV Judge, Small Causes Court, at Chennai and consequently direct the learned IV Additional Judge, City Civil Court at Chennai to take EX R-1 letter dated 25.02.2018, Ex R-2-Lease deed dated 01-05-2018 and Ex R-3 letter dated 03.01.2020 into consideration and to decide the RLTA.No.103 of 2026 in the light of contents of the Ex R 1 Ex R2 and Ex R3.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

3. The petitioner is the tenant under the first respondent's mother Sarojini. Subsequently, the property has come to the hands of the respondents, as per the family partition. Now, claiming to be the landlords/ respondents have filed eviction petition in RLTOP No. 598 of 2023 before the XV Judge, Small Causes Court, Chennai against the petitioner. Pending OP, the petitioner herein/tenant filed M.P.No.5 of 2026 seeking direction to the respondents/ landlords to deposit the advance amount of Rs.10,00,000/- to the credit of

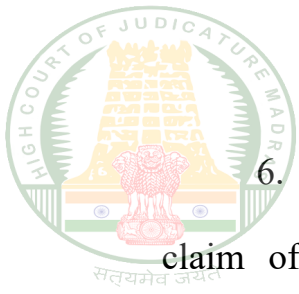


RLTOP. The Rent court, while allowing the RLTOP in favour of the respondents/landlords, dismissed the said petition, by order dated 18.04.2026.

Challenging the above said order made in M.P.No.5 of 2026, the petitioner/tenant has come before this court by filing the instant civil revision petition. Further, as against the order passed in RLTOP, the petitioner also filed an appeal in RLTA No.103 of 2026 on the file of IV Additional Judge, City Civil Court, Chennai.

4. The case of the petitioner/tenant, even in the counter statement filed by him in RLTOP No.598 of 2023 was that, he had paid a sum of Rs.10,00,000/- as refundable advance to the mother of the first respondent and under Section 24 of TNRRRLT Act, unless the amount is refunded, the petitioner is not liable to vacate and hand over the possession of the property.

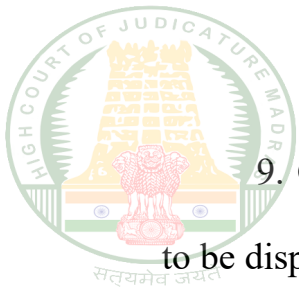
5. The grievance of the petitioner is that despite the letter dated 25.02.2018 being marked as Ex.R1 to substantiate the payment of Rs.10,00,000/-, the Rent Court has rejected the said document on the ground that it was an unstamped and unregistered document and further, it was only a photostat copy. According to the petitioner, the original of the said document/Ex.R1 was filed in O.S.No.2386 of 2023 on the file of the VI Assistant City Civil Court, Chennai, where, the same was marked as Ex.A1.



6. Ultimately, the Rent Court has ordered eviction, while rejecting the claim of the petitioner that he has paid a refundable advance amount Rs.10,00,000/-. Admittedly, the petitioner has preferred an Appeal in RLTA No.103 of 2026 before the IV Additional City Civil Court, Chennai and the same is pending. Though the grounds of appeal in RLTA No.103 of 2026 is not enclosed in the typed set of papers, the learned counsel for the petitioner states that the grounds regarding rejection of petitioner's claim for refundable advance have been duly raised in the memorandum of appeal before the Rent Tribunal.

7. In view of the above, I find that this is not a good case for interference of the order impugned herein, especially, when the petitioner can agitate his claims and grievances before the Rent Tribunal in RLTA No.103 of 2026, pending on the file of IV Additional City Civil Court, Chennai. The parties are at liberty to lead evidence with regard to Ex.R1 letter dated 25.02.2018, if so advised. The Rent Tribunal shall dispose of the appeal along with the additional evidence, if sought to be produced on either side, within a period of 4 months from the date of receipt of copy of this order.

8. The learned counsel for the respondents states that till date, no execution petition has been filed to execute the order passed in the RLTA.



9. Considering the fact that the RLTA No. 103 of 2026 has been directed to be disposed of expeditiously and within a period of 4 months, the respondents shall await the final orders to be passed in the RLTA, before initiating execution proceedings on the strength of any order that may be passed in their favour.

10. With the above directions, this civil revision petition is dismissed. There shall be no order as to costs. Connected miscellaneous petition is closed.

08-07-2026

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

MST

To

1. The IV Additional Judge, City Civil Court, Chennai.
2. The XV Judge, Small Causes Court, Chennai.



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P.B.BALAJI, J.

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