



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2026

CORAM

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

**CRP No.3534 of 2026
& CMP.No.15429 of 2026**

S.Latha

..Petitioner

Vs

1.T.Nagarajan

2.Kamala

..Respondent

Prayer: Civil Revision petition filed under Section 115 of CPC, to set aside the fair and decreetal order dated 27.04.2026 in R.E.P.No.01 of 2026 in RLTOP.No.12 of 2024 on the file of the I Additional District Munsif, Salem.

For Petitioner(s): Mr.J.Pradeep

For Respondent(s): Mr.T.Ganesan

ORDER

The revision petitioner is the tenant. The petitioner challenges the order passed in RLTOP.No.12 of 2024, on the ground that the eviction order is now sought to be executed on the file of the Rent Court, Salem. According to the learned counsel for the petitioner, the RLTA has been filed, challenging the order in RLTOP.No.12 of 2024 and the same is pending in RLTA.No.5 of 2025 before the Principal District and Sessions Court, Salem. However, since there is

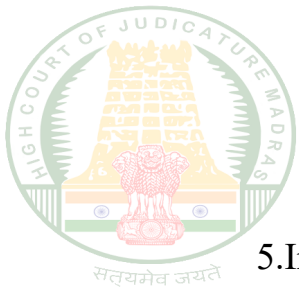


no interim stay granted in the said RLTA, the respondent has proceeded with the REP.No.01 of 2026 and by order dated 27.04.2026, the Executing Court has also ordered delivery. It is challenging the said order of delivery, the present revision has been filed.

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

3.The learned counsel for the petitioner states that the respondent is in huge arrears of Rs.3,68,500/- as on date. He would however fairly state that an advance of Rs.50,000/- is lying with the respondent-landlord and if the said advance amount is adjusted, the arrears, as on date, would be Rs.3,18,500/-. The petitioner, in order to have the benefit of deferring the execution petition, moreso, the order of delivery, should ensure the petitioner is not in any arrears of rent.

4.Admittedly, the petitioner is in arrears from January 2021 at the rate of Rs.5,500/- per month and as indicated herein above, ever after adjusting the entire advance amount, still a sum of Rs.3,18,500/- is outstanding. The learned counsel for the petitioner, on instructions from the petitioner, states that the petitioner is willing to pay the arrears of rent to the respondent, provided four weeks time is granted.



WEB COPY

5. In the light of the above and also considering that RLTA.No.5 of 2025 is pending, the Civil Revision Petition is disposed in the following manner:

(i) The order of delivery dated 27.04.2026 shall be kept in abeyance, for a period of three months;

(ii) The petitioner shall pay Rs.3,18,500/- towards full and final settlement of the arrears of rent, which sum is arrived at after adjusting the entire rental advance of Rs.50,000/-, within a period of four weeks from today.

(iii) RLTA.No.5 of 2025 shall be disposed of by the learned I Additional District and Sessions Judge, Salem, within a period of eight weeks from the date of compliance of the order regarding payment of arrears of rent to the respondent, subject to the result of RLTA, which shall be disposed of, within a period of three months from the date of receipt of a copy of this order.

(iv) It is made clear that in the event of any default committed by the petitioner in paying Rs.3,18,500/-, within a period of four weeks from today, then the respondent is at liberty to proceed with the execution petition and take delivery.

(v) No costs. Connected Civil Miscellaneous Petition is closed.

22.07.2026

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



WEB COPY



P.B.BALAJI, J.

ATA

To
The I Additional District Munsif, Salem.

CRP No.3534 of 2026

22.07.2026