



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-07-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

CRP No. 3200 of 2025 and 17754 of 2025

M.Chandrasekaran,
S/o.Late Muniaiya Naidu, Proprietor of M/s.Balaji
Motors, Plot No.4, Door No.9, 5th Street,
Venkateshwara Nagar, Adyar, Chennai -600 020.

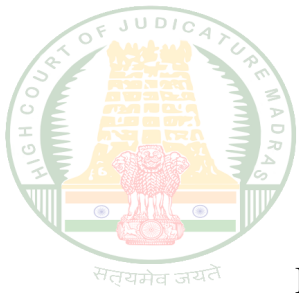
..Petitioner(s)

Vs

1. P.Sekar,
S/o.Late K.Parthasarathy,
2. S.Manimegalai,
W/o.P.Sekar,
3. S.Balasubramanian,
S/o.P.Sekar,
4. S.Kadambari,
D/o.P.Sekar,
5. S.Mohan Kumar,
S/o.P.Sekar,

..Respondent(s)

Civil Revision Petition filed under Article 227 of Constitution of India
praying to set aside the Fair and Decretal Order made in I.A.No.3 of 2024 in
O.S.No.6137 of 2023 dated 17.02.2025 on the file of the XVIth Additional City
Civil Court, Chennai.



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CRP No. 3200 of 2



For Petitioner(s): Mr.N.Naganathan

For Respondent(s): Mr.B.K. Sreenivasan
For RR1 to 5

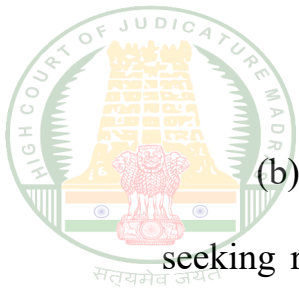
ORDER

This Civil Revision Petition has been filed challenging the order dated 17.02.2025, passed by the XVI Additional City Civil Court, Chennai in I.A.No.3 of 2024 in O.S.No.6137 of 2023.

2. In the aforesaid order, the application filed by the petitioner who is the defendant in the suit O.S.No.6137 of 2023, seeking leave of the Trial Court to file additional written statement in O.S.No.6137 of 2023, has been dismissed.

3. Learned counsel for the petitioner would submit as follows:

(a) The respondents/plaintiffs had filed eviction proceedings before the Rent Court seeking for eviction of the petitioner/tenant from the schedule premises. According to her the RLTOP was allowed in favour of the respondents/plaintiffs and was also upheld by the Appellate authority. But the said orders were stayed by the High Court in a Civil Revision Petition which is still pending for final disposal.



(b) According to her, the suit has been filed by the respondents/plaintiffs seeking recovery of arrears of rent from the petitioner/defendant. She would submit that the written statement was filed in the suit through another counsel on behalf of the petitioner/defendant, but after the filing of the written statement, it was noticed that there are discrepancies in the calculation of the arrears of rent by the respondents/plaintiffs and it was also noticed that a part of the suit schedule property is a poromboke land belonging to the Government. According to her only under those circumstances there became a necessity for the petitioner to file I.A.No.3 of 2024 before the XVI Additional City Civil Court in O.S.No.6137 of 2023 seeking leave of the Court to file additional written statement. According to her, Trial Court has erroneously dismissed the application.

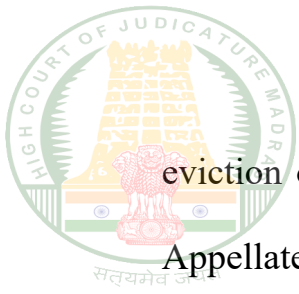
3. On the other hand, learned counsel for the respondents would submit that only to drag on the proceedings in the suit the application was filed by the petitioner/defendant, which has been rightly dismissed under the impugned order.

4. While dismissing the application filed by the petitioner/defendant seeking leave to file additional written statement, the Trial Court has taken note of the fact that on a perusal of the records it has been seen that the petitioner in his earlier written statement itself has pleaded and has taken a defense with



regard to the calculation of arrears of rent claimed by the respondent/plaintiff as well as the alleged incorrect survey number and patta disclosed by the respondent/plaintiff in the suit schedule property. The Trial Court has also taken note of the fact that the petitioner has not disclosed the correct schedule of the property, survey number and arrears of rent in her affidavit filed in support of the I.A.No.3 of 2024, seeking leave of the Trial Court to file additional written statement. Only after taking note of the aforementioned facts, the Trial Court has dismissed the application filed by the petitioner/defendant seeking leave to file additional written statement. This Court does not find any infirmity in the reasons given by the Trial Court for dismissing the application filed by the petitioner seeking leave to file additional written statement. In view of the interim stay granted by this Court in this Civil Revision Petition in the year 2025, the proceedings in suit O.S.No.6137 of 2023 pending on the file of the XVI Additional Chennai has been stalled. Eventhough, the respondents/plaintiffs had succeeded in the eviction petition both before the Rent Controller as well as the Appellate authority under the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017 (in short 'the Act') the respondents/plaintiffs have been unable to take possession of the property from the petitioner/tenant.

5. This Court is not expressing any opinion with regard to the Civil Revision Petition filed by the petitioner/tenant before this Court challenging the



eviction order passed against the petitioner by the Rent Court as well as the Appellate authority under the Act. However, due to the reasons stated supra and in view of the fact that the Trial Court has rightly given proper reasons for dismissing the petitioner's application seeking leave to file additional written statement, this Court is not interfering with the impugned order as there is no merit in the civil revision petition.

Accordingly this Civil Revision Petition is dismissed by directing the XVI Additional City Civil Court, Chennai to dispose of the suit in O.S.No.6137 of 2023 within a period of *eight months* from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

09-07-2026

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To

The XVI Additional City Civil Court, Chennai.



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CRP No. 3200 of 2



ABDUL QUDDHOSE, J.

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CRP No. 3200 of 2025

09-07-2026



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CRP No. 3200 of 2

