



WEB COPY

CRP No. 4378 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-07-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

CRP No. 4378 of 2026

and

CMP No. 19299 of 2026

1. M/s. Sha Ganeshmal Nathmal Jain
A firm rep.by its Proprietor Ugamchand
No.58, Perumal Mudali Street,
Sowcarpet, Chennai-600 079
2. Ugamchand
S/o Achalchand,
No.58, Perumal Mudali Street,
Sowcarpet, Chennai-600 079.

..Petitioner(s)

Vs

Sha Poosaji Samaratmull (HUF)
Represented by its present Karta
Jugaraj Jain
No.58, Perumal Mudali Street,
Sowcarpet, Chennai 79

..Respondent(s)

For Petitioner(s):

Mr.Samir S Shah
Mr.Dhruv A thaker
for M/S.Shah And Shah

For Respondent(s):

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the order dated 15.07.2026 made in I.Ano.1 of 2026 in RLTA No.91 of 2026 on the file of the VI Additional Judge, City Civil Court at Chennai.

ORDER

This Civil Revision Petition has been filed challenging the order dated 15.07.2026, passed by the VI Additional City Civil Court, Chennai in I.A No.1



of 2026 in RLTA No.91 of 2026.

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2.In the aforesaid order, I.A No.1 of 2026 in RLTA No.91 of 2026 filed by the petitioners/appellants seeking stay of execution of the order dated 17.02.2026 passed in RLTOP No.763 of 2021 on the file of the XV Small Causes Court, Chennai has been dismissed. Admittedly, the petitioner has preferred the appeal in RLTA No.91 of 2026 within the period of limitation as prescribed under the Act 2017 before the VI Additional City Civil Court, Chennai, aggrieved by the order dated 17.02.2026, passed in RLTOP No.763 of 2021 on the file of the XV Small Causes Court, Chennai. However, under the impugned order, the application for stay sought for in I.A No.1 of 2026 seeking stay of execution of the order dated 17.02.2026 passed in RLTOP No.763 of 2021 has been dismissed.

3.As seen from the impugned order, the Rent Court had gone into the merits of the dispute between the parties while dismissing the application seeking for stay of execution of the order dated 17.02.2026 passed in RLTOP No.763 of 2021, which should not have been done. When there is no delay in filing RLTA No.91 of 2026 by the petitioners who are the tenants under the respondent, the Rent Court ought not to have shut their rights in the statutory appeal as provided under the Act, 2017. It is also brought to the notice of this Court by the learned Counsel for the petitioner that an execution petition has



already been filed by the respondent seeking to execute the order dated 17.02.2026 passed in RLTOP No.763 of 2021 on the file of the XV Small Causes Court, Chennai.

4.As seen from the provisions of the Act 2017, it is a summary proceeding and the proceedings before the Rent Court as well as the Appellate Court are summary in nature and under the normal circumstances, they will have to be disposed of as expeditiously as possible. Therefore, in the interest of justice, this Court deems it fit to set aside the impugned order dated 15.07.2026 passed in I.A.No.1 of 2026 in RLTA No.91 of 2026 passed by the VI Additional City Civil Court, Chennai and dispose of the Civil Revision Petition by granting stay of execution of the order dated 17.02.2026 passed in RLTOP No.763 of 2021 on the file of the XV Small Causes Court, Chennai, till the disposal of the RLTA No.91 of 2026 pending on the file of the VI Additional City Civil Court, Chennai. To protect the interest of the respondent, this Court also directs the VI Additional City Civil Court, Chennai to dispose of RLTA No.91 of 2026 within a period of two months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

23-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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To
The VI Additional City Civil Court
Chennai

CRP No. 4378 of 2



ABDUL QUDDHOSE J.

Uma

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23-07-2026