



C.R.P.No.1396 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 29.04.2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

C.R.P. No.1396 of 2025

and

CMP. No. 8276 of 2025

T. Seethalakshmi

... Petitioner

Versus

V. Aishwaraya

... Respondent

Civil Revision Petition filed under Article 227 of the Consitution of India, seeking to set aside the Fair and Decreetal Order in I.A.No.2 of 2024 in R.L.T.A.No.121 of 2024, on the file of the XX-Additional Distirct and Sessions Court at Allikulam, Chennai.

For Petitioner : Mr. A. Poornachandran

For Respondent : Mr. V. M. Ravi Shankar

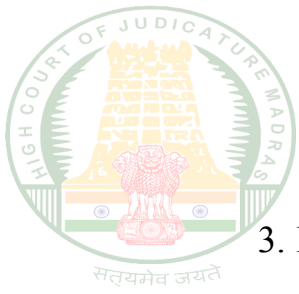
ORDER

This Civil Revision Petition has been filed challenging the order dated 07.11.2024 made in I.A.No.2 of 2024 in R.L.T.A. No.121 of 2024 on the file of the XX-Additional Distirct and Sessions Court at Allikulam, Chennai.



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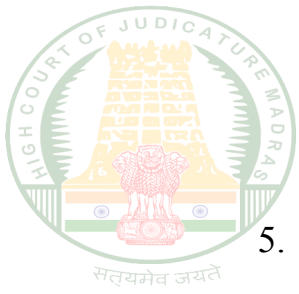
2. The brief facts of the case are that the petitioner is a tenant. The respondent is a landlord. The respondent filed R.L.T.O.P. No.116 of 2023 under Section 21(2)(a) of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017. (hereinafter referred to as “the New Act”), before the XII-Court of Small Causes, Chennai, which was allowed on 07.06.2024, directing the petitioner/tenant to evict and handover the possession to the respondent/landlord, within two months from the date of that order. Challenging the said order, the petitioner/tenant preferred an appeal in R.L.T.A.No.121 of 2024 under Section 38(1) of the New Act, seeking to set aside the order dated 07.06.2024 in R.L.T.O.P. No.116 of 2023. Pending appeal, the petitioner/tenant filed an application in I.A.No.2 of 2024 under Section 38(iv)(f) of the New Act, before the XX-Additional District and Sessions Court at Allikulam, Chennai, to stay all further proceedings subsequent to the order in R.L.T.O.P. No.116 of 2023, order dated 07.06.2024, on the file of XII-Court of Small Causes, Chennai, till the disposal of the appeal. The Appellate Court, by order dated 07.11.2024 had dismissed the application filed in I.A.No.2 of 2024. As against which, the present Civil Revision Petition has been filed by the petitioner.



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3. Learned counsel for the petitioner would submit that the petitioner has got a fair chance of succeeding the appeal and thereby she had filed an application seeking to stay on all further proceedings in RLTOP.No.116 of 2023. However, the Appellate Court had rejected the application, and therefore, the present civil revision petition has been filed before this Court.

4. Per contra, the learned counsel appearing for the respondent that the petitioner is in arrears of rent to the tune of Rs.17 Lakhs. He also submits that the RLTA. No.121 of 2024 was filed in the year 2024, and it is mandated as per Section 38(1) of the New Act, the Appellate Court has to dispose of the appeal within a period of 120 days from the date of service of notice on the respondent. The petitioner had been filing petitions after petition and is trying to protract the proceedings. The respondent had obtained the order of eviction on 07.06.2024; however, she is unable to execute the order. Further, he fairly submits that the respondent/landlord had filed an Execution Petition in E.P.No.706 of 2024, and that she would not proceed with further till the disposal of the R.L.T.A. No.121 of 2024 and would pray that a direction may be issued to the Appellate Court to dispose of the appeal within a fixed period.



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available on record.

5. Heard the learned counsel on either sides and perused the materials
6. Taking into consideration of the undertaking given by the respondent/landlord, this Court is of the opinion that no order of stay is required till the disposal of the appeal. Hence, this Court directs the XX-Additional District & Sessions Judge, Allikulam, to dispose of the appeal in RLTA No.121 of 2024 on or before **30.06.2025**.

7. It is made clear that the respondent/landlord is entitled to proceed with the execution petition filed in E.P.No.706 of 2024, after the disposal of RLTA.No.121 of 2024 and till such time the EP shall be kept in abeyance.

8. With the above observations and directions, this Civil Revision Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is also closed.

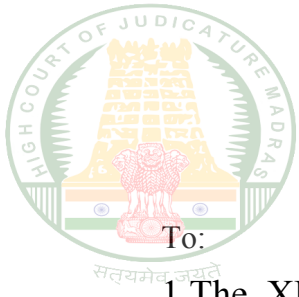
29.04.2025

Index : Yes/No

Speaking/Non-Speaking Order : Yes/No

Neutral Case Citation : Yes/No

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To:

- 1.The XII-Court of Small Causes, Chennai.
2. XX-Additional District & Sessions Court, Allikulam.
- 3.The City Civil Court, Chennai.
- 4.The Section Officer, V.R. Section, High Court, Madras.



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A.D. JAGADISH CHANDIRA, J.

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