



CRP(NPD) No. 2523 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.06.2025

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

CRP(NPD) No.2523 of 2025

and

CMP No.14413 of 2025

Rajasekar

... Petitioner

Vs.

Mohamed Idhris

... Respondent

Prayer : Civil Revision petition has been filed under Article 227 of the Constitution of India to set aside the impugned order and judgment dated 12.02.2025 passed in RLTA No.127 of 2024 by the Hon'ble II Additional City Civil Judge, Chennai confirming the original fair and decreetal order and judgment dated 13.06.2024 passed in RLTOP No.369 of 2019 by the Hon'ble XIV Small Causes Court, Chennai .

For Petitioner : Mr. Y. Kavitha
for M/s.PVS Giridhar Associates

For Respondent : Mr. S. Haja Mohideen Gisthi



CRP(NPD) No. 2523 of 2025

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ORDER

Challenge has been made to set aside the judgment and decree made in RLTA No.127 of 2024 dated 12.02.2025.

2. The revision petitioner filed an undertaking affidavit before this Court to vacate the premises within a period of 6 months.

3. The learned counsel for the respondent submitted that rents have not been paid from the year 2019 onwards and now, there is a total due of Rs.45,60,000/-.

4. The Trial Court vide order dated 13.06.2024 ordered eviction under Section 21(2)(a) of the Tamil Nadu Regulation of Rights and Responsibilities of Landlord and Tenants Act and the appeal filed by the revision petitioner/tenant was dismissed, by the First Appellant Court on 12.02.2025, simply on the ground that there is no written agreement and that order has not been challenged.



CRP(NPD) No. 2523 of 2025

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5. In such view of the matter, it is for the respondent to work out his remedy by filing a proper suit for recovery of the amount said to be due from the revision petitioner. The affidavit of undertaking filed by the petitioner is taken on record. The petitioner is granted time for vacating the premises till 30.09.2025. Failure to vacate the premises as per the undertaking given before this Court, the petitioner will invite contempt proceedings. Liberty is granted to the respondent to file a civil suit in accordance with law.

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

25.06.2025

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To

1. The II Additional City Civil Court, Chennai.
2. The XIV Small Causes Court, Chennai.

3/4



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CRP(NPD) No. 2523 of 2025

N. SATHISH KUMAR, J.

mrp

CRP No.2523 of 2025

1/3

25.06.2025