



C.R.P.No.1281 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 25.06.2025**

CORAM :

**THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR**

**C.R.P.No.1281 of 2025**

**and**

**C.M.P.Nos.7642 & 12760 of 2025**

N.Ahamed Shifa

... Petitioner

Vs.

N.Mani

... Respondent

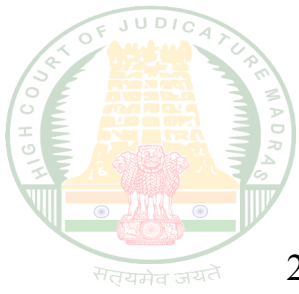
**Prayer** : Civil Revision Petition filed under Article 227 of the Constitution of India to strike off the Execution Petition in E.P.No.788 of 2024 on the file of the XV Court of Small Causes, Chennai.

For Petitioner : Mr.S.Haja Mohideen Gisthi

For Respondent : Mr.V.Vijayakumar

**ORDER**

This revision has been filed to strike off the Execution Petition filed by the respondent, in E.P.No.788 of 2024 on the file of the XV Court of Small Causes, Chennai.

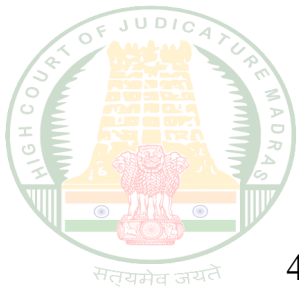


C.R.P.No.1281 of 2025

WEB COPY

2.The respondent/landlord originally filed an application for eviction under Section 21(2)(a) of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017. The said application was allowed by the Rent Court. Thereafter, the landlord filed the present Execution Petition in E.P.No.788 of 2024 for delivery.

3.When the matter stood thus, the tenant has filed the above Civil Revision Petition to strike off the Execution Petition filed by the landlord. The main ground on which the Execution Petition is sought to be struck off is that, as against the eviction order, the petitioner/tenant has filed an appeal which is pending in R.L.T.A.No.36 of 2025 before the VII Additional City Civil Court, Chennai. It is further stated that the tenant has also filed an application for stay of execution proceedings, however, the same has not yet been entertained. It is the further contention of the revision petitioner that her shop was vandalised two years back and it remains closed. Despite the same, the tenant is still paying rent. In this regard, a criminal case is also pending. Therefore, it is the contention of the petitioner that the Execution Petition, at this stage, cannot be maintained.



C.R.P.No.1281 of 2025

WEB COPY

4.At the outset, this Court is of the view that a revision is not maintainable for striking of an Execution Petition. If the petitioner is aggrieved by the order of the Rent Court, the only remedy available to her is to file an appeal. Having filed an appeal, it is for the petitioner to canvass her case before the Rent Appellate Court. As long as there is no stay granted by the Rent Appellate Court, there is no bar for execution proceedings to continue. Therefore, I do not find any merit in this revision.

5.Accordingly, this Civil Revision Petition is dismissed. The Rent Appellate Court is directed to dispose of the main appeal in R.L.T.A.No.36 of 2025 as expeditiously as possible, but not later than two months from the date of receipt of a copy of the order. No costs. Consequently, connected miscellaneous petitions are closed.

**25.06.2025**

mkn

Internet : Yes

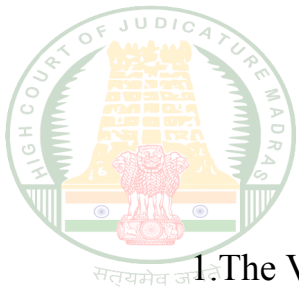
Index : Yes / No

Speaking order : Yes / No

Neutral Citation : Yes / No

To

Page 3 of 5



C.R.P.No.1281 of 2025

1.The VII Additional Judge,  
City Civil Court,  
Chennai.

2.The XV Judge,  
Court of Small Causes,  
Chennai.

3.The Section Officer,  
VR Section,  
High Court, Madras.

**N. SATHISH KUMAR, J.**

mkn



WEB COPY



C.R.P.No.1281 of 2025

**C.R.P.No.1281 of 2025**

**25.06.2025**