



CRP.No.2162 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2025

CORAM :

**THE HONOURABLE MR. JUSTICE P.B. BALAJI**

CRP.No.2162 of 2025  
and  
CMP.No.12661 of 2025

Hayath Basha

...Petitioner

Vs.

K.A.Habibullah

...Respondent

Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the order dated 17.04.2025 in E.P.No.36 of 2025 in RLTOP No.148 of 2024 on the file of Learned XI Judge, Small Causes Court at Chennai.

For Petitioner : No Appearance

For Respondent : Mr.I.Abdul Basith



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## **ORDER**

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This revision petition has been filed challenging the order dated 17.04.2025 made in E.P.No.36 of 2025 in RLTOP No.148 of 2024 on the file of the learned XI Judge, Small Causes Court, Chennai.

2. When the matter is taken up for hearing today, there is no representation on behalf of the petitioner. In fact, even on the earlier occasion ie., on 02.07.2025, despite an order of interim stay already granted by this Court being extended, on condition that the petitioner pays a sum of Rs.50,000/-, and as the same was not complied with by the petitioner, the said interim stay granted by this Court on 06.06.2025 has been vacated on 16.07.2025.

3. Even then, the petitioner has not chosen to appear before this Court either in person or through counsel. Hence, I have proceeded to hear the learned counsel for the respondent and I have also perused the materials available on record.



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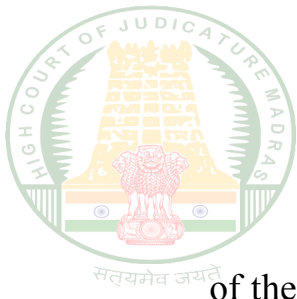
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4. The execution petition has rightly been entertained on the ground that that the Rent Court has passed an order of recovery of possession in favour of the respondent/ landlord and the same has been affirmed by the Rent Tribunal as well.

5. Finding that the execution petition has been filed in time and there is no stay granted by this Court in any revision challenging the order of the Rent Tribunal, the Execution Court has ordered delivery and posted the Execution petition for recording delivery by 05.06.2025. At that stage, the petitioner/tenant has come up with this revision.

6. Even as on date, the revision petitioner/tenant has not challenged the judgment of the Rent Tribunal made in RLTA.No.154 of 2024 and what is under challenge is the order dated 17.04.2025 made in E.P.No.36 of 2025.

7. I do not find any of the grounds raised in the present revision petition being tenable or sustainable and there is no infirmity in the order



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of the trial court ordering delivery, which is under challenge and thereby,  
this Court is not inclined to entertain this revision petition.

8. For the reasons aforesaid, this Civil Revision Petition stands dismissed. The Execution Court shall proceed with the execution process with any further delay. No costs. Consequently, the connected Miscellaneous petition is closed.

**19.08.2025**

skt

|                |            |
|----------------|------------|
| Index          | : Yes / No |
| Speaking order | : Yes / No |
| NCC            | : Yes / No |

To

The XI Judge,  
Small Causes Court,  
Chennai.



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**P.B. BALAJI, J.**

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