

C.R.P.No.4349 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.10.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

C.R.P.No.4349 of 2025

and

C.M.P.Nos.22294 and 23057 of 2025

T.Lakshmi Ammal

... Petitioner

Vs.

SPDS Kumares

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India to allow the above Civil Revision Petition by setting aside the order dated 25.04.2023 made in E.P.No.1 of 2022 in R.L.T.O.P.No.1 of 2020 on the file of the District Munsif, Panruti.

For Petitioner : Mr.Himavanth

For Respondent : Mr.K.Moorthy

ORDER

Heard Mr.Himavanth, the learned counsel for the petitioner and the Mr.K.Moorthy, the learned counsel for the respondent and perused the materials available on record.



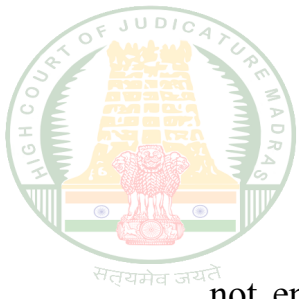
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2. This Civil Revision Petition has been filed challenging the order dated 25.04.2023 made in E.P.No.1 of 2022 in R.L.T.O.P.No.1 of 2020 on the file of the District Munsif, Panruti.

3. The Revision Petitioner is the tenant against whom the respondent filed a petition in RLTOP.No.1 of 2020 before the District Munsif Court, Panruti, invoking Sections 21(2), 21(2)(d), 21(2)(e) and 21(2)(g) of Tamil Nadu Regulation of Rights and Responsibilities of Landlord and Tenants Act, 2017 (hereinafter referred to as 'the Act' for short). The said petition was allowed ex-parte, and the revision petitioner has filed an application to set aside the ex-parte decree, and the same is pending. At that stage, the respondent/landlord filed a petition in E.P.No.1 of 2022 for executing the ex-parte decree of eviction and the same came to be allowed by the learned District Munsif, Panruti. Challenging the same, the tenant is the revision petitioner.

4. According to Mr.Himavanth, the learned counsel for the petitioner, the RLTOP itself is not maintainable on account of the parties



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not entering into the tenancy agreement as contemplated under Section 4(2) of the Act. He would further submit that the Executing Court has erroneously proceeded to allow the execution petition without considering the material objections raised by the tenant.

5. Mr.K.Moorthy, the learned counsel for the respondent would however seek liberty to file a fresh RLTOP under Section 21(2) (a) of the Act.

6. In the light of the above, though a set aside petition is pending seeking to set aside the ex-parte order of eviction in RLTOP.No.1 of 2022, in view of the liberty sought for to move an appropriate application under Section 21(2)(a) of the Act in accordance with law and inclined to allow the revision petition. Accordingly, the impugned order dated 25.04.2023 in E.P.No.1 of 2022 in R.L.T.O.P.No.1 of 2020 is hereby set aside. However, it is made clear that the respondent/landlord is at liberty to not press the RLTOP.No.1 of 2022 and file a fresh RLTOP on the available grounds under Section 21(2)(a) of the Act.



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7. In the result, this Civil Revision Petition is allowed.

Consequently, the connected Miscellaneous Petitions are closed. No costs.

06.10.2025

Index : Yes/No
Neutral Citation : Yes/No
Speaking/Non-Speaking Order
kv

To

The District Munsif, Panruti.



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P.B.BALAJI, J.

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