



Rev.Appl.No.172 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.10.2025

CORAM :

THE HONOURABLE MR. JUSTICE P.B. BALAJI

Rev.Appl.No.172 of 2025

and

CMP.No.23673 of 2025

Shifa khan-E-Saiyedna Yusuf,
A Charitable Trust,
Zamplipole, Najampuram,
Sidhpur, Gujarat – 384 151,
Rep. by its Authorized Signatory, Mohammed Yusuf Madraswala,
12/13, Perianna Maistry Street, 2nd Floor,
Parry's Corner, George Town,
Chennai – 600 001. ...Petitioner

Vs.

1. M/s.Palace Lodge,
Rep. by its Partners,
George Kuriakose & Joseph Kuriakose,
Municipal Door No.27/28,
Old No.21/22, Previous No.32,
New Door No.69, Egmore High Road,
Near F-2, Police Station, Chennai – 600 008.
2. George Kuriakose
3. Joseph Kuriakose ...Respondents



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Review Application filed under Order 47 Rule 1 & 2 r/w.
Section 114 of Civil Procedure Code to review the order dated
15.09.2025 in CRP.No.4391 of 2025.

For Petitioner : Mr.I.Inian

For Respondents : Mr.N.Elumalai

ORDER

Heard the learned counsel on either side and perused the materials
placed on record.

2. Learned counsel for the review applicant would submit that
though this Court, vide order dated 15.09.2025 disposed of the revision
in CRP.No.4391 of 2025 giving an opportunity to the respondents to
contest the eviction order passed, before the Rent Court in pending
RLTA, this Court has not secured the interest of the review applicant, as
the respondents are in huge arrears of Rs.26,00,000/-(13 months).
Learned counsel would therefore pray for suitable directions to be
incorporated in the order dated 15.09.2025 made in the above revision.



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3. Per contra, the learned counsel for the respondents would submit that the respondents were forced to pay the enhanced rent of Rs.2,00,000/- per month and further the respondents have also spent substantial amounts for renovating the building and therefore, the respondents are not liable to pay rent and they are entitled to seek adjustments to the same.

4. I am unable to countenance with the said submission of the learned counsel for the respondents for the simple reason that, even in the pleadings before the Rent Court, it is the specific case of the respondents that initially rent was Rs.36,000/- per month, however, the same has been increased by the petitioner/landlord and it is the categorical admission of the respondents that they have agreed to pay all the enhanced rent amounts, at periodical intervals of time and at the time of filing the petition before the Rent Court, the rent was Rs.2,00,000/- per month. It is in fact the specific case of the respondents that, they were not in any default in payment of rents at the enhanced rate of Rs.2,00,000/- from April 2024 onwards.



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5. The money spent towards interiors, renovations etc., are all self serving expenses and for augmenting the business of the respondents and in the absence of any agreement regarding adjustment of such expenses, the respondents cannot attempt to set off the alleged amounts spent by them towards arrears of rent.

6. However, as the revision was at the instance of the respondents/tenants and I had only directed the Rent Tribunal to dispose of RLTA.SR.No.5102 of 2023 on merits and in accordance with law within a period of two months, I deem it proper to direct the Rent Tribunal to also pass orders under Section 25 of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, which pertain to payment of arrears of rent, pending the proceedings.

7. It was brought to my notice that the delay in filing the restoration petition has been condoned and now the restoration petition is to be taken up shortly.



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8. In view of the above, the Rent Tribunal shall also consider the mandate of the Section 25 of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act 2017, while disposing of the above RLTA on merits and in accordance with law and incorporate suitable directions regarding the arrears.

9. With the above observations and directions, this Review application petition stands allowed in part. No costs. Consequently, the connected Miscellaneous petition is closed.

16.10.2025

skt

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

To

The Principal District and Sessions Judge,
Thiruvallur.

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P.B. BALAJI, J.

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