



CRP No.5610 of 20_

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2025

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

CRP.No.5610 of 2025

and

CMP.No.28114 of 2025

M.Jonshon @ Manivannan

... Petitioner

Vs.

V.Balasubramani

... Respondent

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order of the XIII Court of Small Causes, Chennai, in EP.No.216 of 2024 order dated 23.09.2025.

For Petitioner : Mr.D.Parventhan

For Respondent : Mr.R.Harinath



ORDER

The Revision petitioner is a tenant, challenging the concurrent orders of eviction passed by the Rent Court as well as the Rent Tribunal.

2. The petitioner's case is that he had agreed to purchase the shop under the occupation of the vendor of the respondent. However, the respondent/landlord proceeded to have a sale deed executed in his favour, before the petitioner could complete the sale transaction with the respondent's vendor. After purchase, the respondent had issued a notice to the petitioner, calling upon the petitioner to vacate and hand over the vacant possession of the demise shop. The said notice was prior to coming into force of Act 42 of 2017 (TN RRRLT Act). The respondent thereafter proceeded to seek recovery of possession by invoking Section 21 (2) (a) of the said Act.

3. The Rent Court finding that the petitioner is a tenant has ordered eviction and the order was challenged by the petitioner before the Rent Tribunal. The Rent Tribunal has also dismissed the said Appeal.



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4. Heard the learned counsel for the parties.

5. The learned counsel for the petitioner would submit that the petitioner's shop has been sealed in view of the triangular dispute between the petitioner and the respondent and one Mr.P.Ramesh. He would also bring to my notice that there is a suit pending in OS.No.3364 of 2024 which has been instituted by the respondent/landlord against the said P.Ramesh and others. It is seen that in the pending suit, the petitioner sought to implead himself as one of the defendants. The said application was not only opposed by the respondent/landlord but also by the defendants viz., P.Ramesh and Venkatesh. In the counter filed to the impleading application, it is found that the said P.Ramesh under whom now the petitioner attempts to seek shelter has come on record stating that he has nothing to do with the revision petitioner or the tenanted portion, excepting for an agreement to purchase the shop from the respondent herein in respect of which, the suit has been instituted by the respondent/landlord.



6. In the light of the above, I do not find any infirmity in the finding arrived by the Rent Court and the Rent Tribunal. However, considering the request of the petitioner that the petitioner's belongings are available inside the tenanted shop and in view of the Management Committee of the CMDA having sealed the premises, the petitioner is unable to remove the petitioner's belongings, I am inclined to dispose of the Revision in the followings manner:

(i) The copy of the order shall be produced either by the petitioner or respondent and the Management Committee shall issue a notice to the parties to fix a date for breaking open/removing the seal/lock and opening the shop and on the assigned date, the petitioner and the respondent shall be present and the petitioner shall be at liberty to remove all his belongings.

(ii) The possession of the tenanted premises shall be handed over to the respondent herein.

(iii) The recovery of possession under the Rent Control proceedings shall not pre-judice the rights of the parties in the pending suit in OS.No.3364 of 2024. The respondent is at liberty to workout his remedy for recovery of arrears of rent if any, independently, in the manner known to law.



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7. With the above direction, this revision Petition is disposed of. Upon production of the copy of the order, the Management Committee of CMDA shall ensure that an early date is fixed for enabling the petitioner to remove his belongings and possession being delivered to the respondent. No costs. Consequently, connected Miscellaneous Petition is closed.

19.12.2025

dna
Index:yes/no
Internet:yes/no
Neutral Citation:Yes/No
Speaking/Non-Speaking Order

To

The XIII Court of Small Causes, Chennai.



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