



WEB COPY



C.R.P.No.5485 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.5485 of 2025
and
C.M.P.No.27600 of 2025

K.Krishna Rao

... Petitioner

VS.

A.Devarajan (deceased)

1.Mary Devarajan

2.Sagaya Mary

3.Kanchana

4.Vincent Rajan

5.Velanganni

6.Vincent Arogyanathan

7.Mabel Leyanstic

8.Mary Vinitha

9.Beulah

10.Praveen Kumar

... Respondents

1/6



C.R.P.No.5485 of 2025

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the order and decretal order dated 01.09.2025 passed in I.A.No.1 of 2025 in A.S.No.344 of 2024 by the learned III Additional City Civil Court, Chennai.

For Petitioner : Mr.R.Raman Laal

For R5 to R8 : Mr.R.M.Srinivas
for M/s.Waraon and Sai Rams

ORDER

The Civil Revision Petition is filed challenging the order passed by the First Appellate Court dismissing the application in I.A.No.1 of 2025 in A.S.No.344 of 2024 filed by the petitioner/appellant seeking permission to deposit monthly rent of Rs.1,000/- from January-2025 to till the date of disposal of the appeal suit.

2. The petitioner herein filed a suit for bare injunction on the strength of the Lease Deed dated 19.01.1989 with original owner of the property one R.Nesarajan. The respondents herein claiming themselves as Legal



C.R.P.No.5485 of 2025

Representatives of R.Nesarajan attempted to interfere with the possession of the petitioner and hence, he was constrained to file a suit for bare injunction.

The said suit was dismissed by the Trial Court and aggrieved by the same, the petitioner preferred an appeal in A.S.No.344 of 2024, on the file of the III Additional City Civil Court, Chennai. Pending first appeal, the petitioner filed instant application in I.A.No.1 of 2025 seeking permission to deposit the rent. The said application was dismissed by the Appellate Court. Aggrieved by the same, the petitioner has come before this Court.

3. The learned counsel appearing for the petitioner would submit that while considering the deposit application filed by the petitioner, the learned Judge made an observation that fair rent for the subject property would be Rs.45,000/- and the same is without any basis. The said observation made by the learned Judge will affect the right of the petitioner. He also submitted that when the petitioner is willing to deposit the rent before the Court, the application should have been considered positively.

4. The suit filed by the petitioner is only for the relief of bare injunction. In the said suit, the Court is only concerned with the lawful



C.R.P.No.5485 of 2025

possession of the petitioner. The scope of the bare injunction suit cannot be expanded by entertaining application for deposit of the rent. In this suit, the Court cannot go into the question whether the petitioner is a lawful lessee of the property and what is the rent payable by the petitioner to the respondents etc. Therefore, the First Appellate Court rightly dismissed the application for deposit of the rent. However, in the impugned order, a reference has been made about the fair rent of Rs.45,000/- payable for the subject property.

5. It is seen from the impugned order both the parties failed to examine any witnesses and mark any documents. In such circumstances, the reference made by the First Appellate Court regarding quantum of fair rent is without any basis. I do not find any reason to interfere with the final conclusion of the III Additional City Civil Court, Chennai in I.A.No.1 of 2025 in A.S.No.344 of 2024, dated 01.09.2025.

6. Accordingly, the Civil Revision Petition stands dismissed with the clarification that the scope of the present suit cannot be expanded by deciding the quantum of rent payable by the petitioner. Any reference in the impugned order regarding quantum of fair rent will not affect the right of petitioner in



C.R.P.No.5485 of 2025

any other proceedings. No costs. Consequently, the connected civil

miscellaneous petition is closed.

10.11.2025

Index : Yes / No

Speaking order : Yes / No

Neutral Citation : Yes / No

dm

To

The III Additional City Civil Court,
Chennai.



WEB COPY



C.R.P.No.5485 of 2025

S.SOUNTHAR, J.

dm

C.R.P.No.5485 of 2025

10.11.2025