



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP No. 5942 of 2025 and CMP No.29305 of 2025

1. Indira Projects And Developments (t)
Pvt Ltd
Rep. by its Executive Director,
Bhupesh Nagarajan, Old No.1 New
No.116, Anna Salai, Behind IDBI
Bank, Little Mount, Saidapet, Chennai
600 015. and another

2. Bhupesh Nagarajan,
The Executive Director, INDIRA
PROJECTS AND DEVELOPMENTS
(T) PVT LTD, Old No.1 New No.116,
Anna Salai, Behind IDBI Bank, Little
Mount, Saidapet, Chennai 600 015.

Petitioner(s)

Vs

1. Daulath Banu
W/o.Late K.A.M.Wasif, Res.at No.22/1
Krishnaswamy Nagar, Narasimapuram,
Kuniyamuthur, Coimbatore - 641 008.



2.Sana Wasif

D/o. K.A.M.Wasif, Rest.at No.22/1

Krishnaswamy Nagar, Narasimapuram,
Kuniyamuthur, Coimbatore - 641 008.

3.Matheen Wasif

S/o.Late K.A.M.Wasif, Rest.at No.22/1

Krishnaswamy Nagar, Narasimapuram,
Kuniyamuthur, Coimbatore - 641 008.

4.Nasreen Mohideen

W/o.Late K.M.Mohideen, No.401,

Vertical Heights, Bandra, Mumbai -
400 050.

Respondent(s)

Revision is filed under Article 227 of the Constitution of India to set aside the order dated 03.11.2025 passed in E.P.No.1084 of 2025 in RLTOP No.176 of 2025 on the file of XI Court of Small Causes, Chennai.

For Petitioner(s): R.Ananth

For Respondent(s): M/s.F.Arif Nawaz

For R1 To R4

ORDER

The tenants are the revision petitioners. The tenants have suffered an order of eviction in RLTOP No.176 of 2025 before the XI Court of Small Causes, Chennai. Challenging the said order, the petitioner has filed appeal in



R.L.T.A.No.186 of 2025 which is pending before the XIX Additional City Civil Court, Chennai, Pending R.L.T.A.No.186 of 2025, the respondents have filed E.P.No.1084 of 2025 and without causing notice to the revision petitioners, the executing court has proceeded to order delivery. The same is under challenge in this revision petition.

2. Learned counsel for the respondents submits that R.L.T.A.No.186 of 2025 is pending and it would suffice if a direction is given to XIX Additional City Civil Court, Chennai to dispose of R.L.T.A.No.186 of 2025 expeditiously and till such time, the proceedings in the execution petition shall stand deferred.

3. The impugned order dated 03.11.2025 passed in E.P.No.1084 of 2025 discloses the fact that on the Execution Petition being moved, the Rent Court has straight away ordered delivery returnable by 20.11.2025 and directed batta to be paid in three days. Section 39 of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants (TNRRLT) Act, 2017 reads as follows:-



“Execution of the order

(1) The Rent Court shall, on application of any party, execute in the manner as may be prescribed, a final order of any order passed under this Act by adopting any one or more of the following modes, namely:-

(a) delivery of possession of the premises to the person in whose favour the decision has been made;

(b) attachment and sale of movable or immovable property of the opposite party;

(c) attachment of any one or more Bank Accounts of the opposite party and satisfaction of the amount of order to be paid from such account;

(d) appointing any advocate or any other competent person including officers of the Rent Court of local administration or local body for the execution of the order.

(2) The Rent Court may take the help from the local Government or local body or the local police for the execution of the final orders:

Provided that the help of police shall be obtained subject to payment of such cost by the



litigants as may be decided by the Rent Court.

(3) The Rent Court shall conduct the execution proceedings in relation to a final order or any other order passed under this Act in summary manner and dispose of the application for execution made under this section within 30 days from the date of service of notice on opposite party.”

4. It is therefore mandatory for the executing court to order notice before passing the order of delivery in the execution petition filed by the landlord. Be that as it may, in the present case, admittedly the order of eviction by the Rent Court is under challenge in R.L.T.A.No.186 of 2025.

5. In the light of the above, it would suffice to direct the learned Judge, XIX Additional City Civil Court, Chennai to dispose of R.L.T.A.No.186 of 2025.

6. Accordingly, the learned Judge, XIX Additional City Civil Court, Chennai is directed to dispose of R.L.T.A.No.186 of 2025 on merits and in



accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

7. Till such time, the proceedings in E.P.No.1084 of 2025 shall stand stayed and subject to the result of R.L.T.A.No.186 of 2025, it is open to the decree holder to pursue the execution petition.

8. With the above direction, the civil revision petition is disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

05-12-2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

sr



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P.B.BALAJI J.

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To

1. The IX Additional City Civil Court, Chennai
2. The XI Court of Small Causes, Chennai.

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