



C.R.P(MD)No.340 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.02.2025**

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P(MD)No.340 of 2025

and

C.M.P(MD)No.1904 of 2025

M/s.Ebek Language Laboratories Pvt Ltd.,
Represented by its Chairman and Managing Director,
G.Sreekanthan. ... Petitioner/Respondent/
Tenant

Vs.

R.Thiyagarajan ... Respondent/ Petitioner/
Landlord

PRAYER: Civil Revision Petition is filed under Section 115 of Code of Civil Procedure, to set aside the fair and decreetal order, dated 21.01.2025 made in E.P.No.19 of 2023 in R.C.O.P.No.35 of 2019 before the learned I Additional District Munsif, Tiruchirappalli.

For Petitioner : Mr.J.Senthil Kumaraiah

For Respondent : Mr.H.Lakshmi Shankar



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ORDER

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The tenant in R.C.O.P.No.35 of 2019 on the file of I Additional District Munsif Court, Tiruchirappalli is the revision petitioner herein.

2. A perusal of the records reveal that the respondent herein had filed R.C.O.P.No.35 of 2019 seeking eviction of the the revision petitioner on the ground of willful default, owners occupation and not entering into tenancy agreement with the landlord. After contest, the Rent Controller has ordered eviction on the ground of willful default and rejected the other grounds. This order was passed on 17.08.2022. The tenant has not challenged the order of eviction. However, the landlord has filed R.L.T.A.No.4 of 2022 before the appellate authority challenging the disallowed grounds.

3. The landlord had filed E.P.No.19 of 2023 seeking to execute the order passed in R.L.T.O.P.No.35 of 2019. The I Additional District Munsif Court, Tiruchirappalli has allowed the said E.P. Challenging the delivery order, the present revision petition has been filed.



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4. According to the learned counsel appearing for the revision petitioner, when R.L.T.A.No.4 of 2022 is pending before the appellate Court, execution proceeding should not have been continued. The Court has not accepted the said reason and proceeded to order eviction.

5. According to the learned counsel appearing for the respondent/landlord, it is an appeal filed by the landlord challenging the disallowed portion and therefore, that cannot be a ground to stop the execution proceedings.

6. The submission made above will clearly indicate that the order of eviction passed as against the revision petitioner herein on the ground of willful default on 17.08.2022 has attained finality. The appeal filed by the landlord for the disallowed portion cannot be cited as a ground to stop the execution proceedings. Therefore, I do not find any illegality or infirmity in the order of delivery passed by the I Additional District Munsif Court, Tiruchirappalli. There are no merits in the revision petition.



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7. Hence, this Civil Revision Petition stands dismissed. No costs.

Consequently, connected Civil Miscellaneous Petition is closed.

06.02.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To

- 1.The I Additional District Munsif,
Tiruchirappalli.
- 2.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR ,J.

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Order made in
C.R.P(MD)No.340 of 2025

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