



C.R..P.(PD)(MD).No.1518 and 1519 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.06.2025

CORAM:

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI**

C.R.P.(PD)(MD)Nos.1518 and 1519 of 2025  
and  
C.M.P.(MD)No.7684 and 7687 of 2025

A.Micheal George

... Petitioner

Vs.

S.Leela Muthulingam

... Respondent

**COMMON PRAYER:** Civil Revision Petition - filed under Article 227 of Constitution of India, to direct the Rent Tribunal, Radhapuram/District Munsif Court, Radhapuram to strike off the plaint in R.L.T.O.P.No.1 of 2024 AND O.S.No.16 of 2024 pending before the Rent Tribunal, Radhapuram/District Munsif Court, Radhapuram.

In both petitions:

For Petitioner : Mr.V.Rajiv Rufus  
For Respondent : Mr.N.Dilip Kumar



*C.R..P.(PD)(MD).No.1518 and 1519 of 2025*

### **COMMON ORDER**

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These Civil Revision Petitions are filed seeking to to strike off the plaint in R.L.T.O.P.No.1 of 2024 and O.S.No.16 of 2024 pending before the Rent Tribunal, Radhapuram/District Munsif Court, Radhapuram.

2.The petitioner is the landlord. He entered into a rental agreement with the respondent. The respondent committed default in payment of rent. Thereby, the petitioner filed a rent control original petition in R.L.T.O.P.No.1 of 2023 on the file of the Rent Control Tribunal, Radhapuram as against the respondent. In order to wreck vengeance as against the petitioner/landlord, the respondent/tenant also filed a petition in R.L.T.O.P.No.1 of 2024 on the file of the very same Court for refund of the advance amount held in excess of the statutory limit. Apart from that, the very same respondent filed a suit in O.S.No.16 of 2024 on the file of the District Munsif Court, Radhapuram to declare the registration of the rental agreement dated 15.04.2022 and the rent agreement registration certificate dated 11.04.2022 as null and void on the ground that the signature of the tenant is forged in the agreement and the certificate. Seeking to strike off the said suit and rent control original petition, the present Civil Revision Petitions are filed.



*C.R..P.(PD)(MD).No.1518 and 1519 of 2025*

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3.The learned counsel for the petitioner submits that the petitioner is the landlord and he filed a petition before the Rent Control Tribunal against the respondent for payment of pending rents. In order to wreck vengeance as against the petitioner, the present suit and RLTOP were filed as against the petitioner. The said proceedings cannot be allowed to continue.

4.The learned counsel for the respondent would submit that already the very same petitioner filed an application under Order 7 Rule 11 of CPC seeking to reject the plaint before the trial Court in O.S.No.16 of 2024 and the written statement in the Rent Control Original Petition along with rejection of plaint petition. When the petitions seeking to strike the plaint are pending before the trial Court, the petitioner has filed these Civil Revision Petitions before this Court with the very same prayer and the same cannot be accepted.

5.Heard the learned counsel for the petitioner and the learned counsel for the respondent and perused the materials placed on record.

6.Admittedly, the petitioner is the landlord and the respondent is the tenant under the petitioner. The petitioner filed a petition on the ground that



*C.R..P.(PD)(MD).No.1518 and 1519 of 2025*

WEB COPY

the respondent failed to pay the rent regularly. Whereas, the respondent filed a petition seeking to return the advance amount paid by him and also a suit to declare the registration of the rent agreement as null and void.

7.It could be seen from the averments made in these petitions that the petitioner has filed application before the trial Court in the Rent Control Original Petition seeking to strike off the plaint and the said application is pending before the concerned Court. If really the petitioner is aggrieved, it is for the petitioner to canvass the proceedings pending before the trial Court. Without doing so, no proceedings under Article 227 of the Constitution of India can be initiated before this Court by the petitioner, parallelly and same cannot be allowed.

8.Accordingly, these Civil Revision Petitions are dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

**17.06.2025**

NCC : Yes/No  
Internet : Yes / No  
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*C.R..P.(PD)(MD).No.1518 and 1519 of 2025*

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To

- 1.The Rent Tribunal, Radhapuram.
- 2.The District Munsif Court, Radhapuram.
3. The Section Officer,  
Vernacular Records,  
Madurai Bench of Madras High Court,  
Madurai.



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*C.R..P.(PD)(MD).No.1518 and 1519 of 2025*

**M.DHANDAPANI,J.**

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C.R.P.(PD)(MD)Nos.1518 and 1519 of 2025

17.06.2025