



CRP(MD). No.1492 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 11/06/2025

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

**CRP (MD). No.1492 of 2025
and CMP(MD) No.8318 and 7492 of 2025**

1. Riyaj Alais Mohammed Riyasde

2. Sabeera Alias Shabira Banu

... Petitioners

Vs

1. M.G. Mohamed Usain

2. M.Rugaiyana

Respondents 1 and 2 Represent Through Their Power agent
Abdul Latif

3. Bashir Ahamed

4. Habibunisha

... Respondents

PRAYER :-Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the Lok Adalat Award dated 06-03-2025 in Lok Adalat Award No.69 of 2025 in E.P.No.86 of 2024 on the file of 1st Additional District Munsif Court, Trichy in R.L.T.O.P.No. 40 of 2023 on the file of the Rent Controller / Principal District Munsif Court, Tiruchirappalli by allowing this civil revision petition



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For Petitioners : Mr.V.Meenakshi Sundaram for
Dr.R.Alagumani
For Respondents : Ms.Mahalakshmi

ORDER

This Civil Revision Petition has been filed against the award of the Lok Adalat dated 06-03-2025 in Award No.69 of 2025 in E.P.No.86 of 2024 on the file of 1st Additional District Munsif Court, Trichy in R.L.T.O.P.No.40 of 2023 on the file of the Rent Controller / Principal District Munsif Court, Tiruchirappalli.

2. It is the case of the petitioners that they are respondents 3 and 4 in eviction proceedings in RLTOP No.40/2023 on the file of the Rent Controller / Principal District Munsif Court, Tiruchirappalli and in the said petition, EP No.86/2024 was filed, wherein, it was referred to lok adalat and in the lok adalat, an award came to be passed and against the said award, the petitioners are before this Court.

3. The first and second respondents are landlords. They filed rent control OP No.40/2023 on the file of the District Munsif Court, Trichy under Section 21(2)(R)(2)(g) of the Tamil Nadu Regulation of Rights



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and Responsibilities of Landlords and Tenants Act, 2017 against the petitioners and the respondents 3 and 4. The petitioners and the respondents 3 and 4 were set exparte and order of eviction was passed on 04.01.2024 and the petitioners and the respondents 3 and 4 have taken steps to file a petition to set aside the exparte order. While so, the first and 2nd respondents filed execution petition in EP No.86/2024 on the file of the I Additional District Munsif and the execution petition was referred to Lok Adalat on 06.03.2025. The petitioners' elder brother namely the third respondent appeared in before the execution Court and undertook on his behalf and on behalf of the other tenants before the Court that on or before 05.05.2025, the premises would be vacated and key would be handed over to the respondents/tenants and thus, the petitioners and the 4th respondent were exonerated from the execution proceedings and an award came to be passed and that the petitioners and the 4th respondent were not the signatory to the award of the lok adalat. Hence, the petitioners are before this Court challenging the said award.

4. In the execution proceedings, delivery of possession was ordered on 12.08.2024 and thereafter, the petitioners, 3rd and 4th



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respondents filed EA Nos.6 and 7 of 2024 on 16.10.2024 and the said EA No.7 of 2024 was allowed on 06.03.2025 on condition that the petitioners and the respondents 3 and 4 agreed to pay 75000/- as rent and on the same day, these petitioners and the 4th respondent were exonerated on the basis of the memo filed by the respondents 1 and 2 and referred to Lok Adalat and in the Lok Adalat, the petitioners's elder brother/3rd respondent participated and the award was passed on 06.03.2025 on the basis of the compromise memo and the third respondent agreed to vacate the premises on or before 05.05.2025. When the petitioners came to know about the exoneration and that their elder brother agreed to vacate the premises, aggrieved by the same, the petitioners are before this Court.

5. The learned counsel for the petitioners would submit that already execution was set aside by the lower Court on 06.03.2025 in EA No.7/2024 immediately after delivery of possession was set aside, even thereafter, the third respondent agreed to vacate the premises is not sustainable. Admittedly, there is no agreement between the petitioners and the respondents 1 and 2 and on the basis of the oral agreement, rent control proceedings was initiated and EP was ordered and hence, it is not



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binding on the petitioners. Accordingly, he prays for interference.

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6. The learned counsel for the respondents 1 and 2, on the other hand, would submit that even after an award has been passed before the Lok Adalat upon negotiation and conciliation and since the petitioners and the fourth respondent were exonerated as per the undertaking given by the third respondent, the award is binding the parties and hence, the challenge to the said award is not sustainable and that as per the said award, premises ought to have been vacated and handed over to the respondents 1 and 2.

7. I have considered the rival submissions and perused the materials available on record.

8. Admittedly the third respondent/elder brother of the petitioners entered an oral agreement with the respondents 1 and 2 to occupy the premises. Already the third respondent filed a suit in OS No.321 of 2023 on the file of the District Munsif, Trichy against the respondents 1 and 2 and stated that they are in occupation from the year 2018 by paying



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Rs.50,000/- as advance and agreed to pay Rs.5,000/- per month as rent, however, within six months increasing the rent at Rs.7,500/- per month is exorbitant and hence, they filed a suit for permanent injunction restraining the respondents/landlords from evicting the third respondent and the petitioners from the suit premises and during the pendency of the suit, the respondents 1 and 2 also filed a rent control proceedings against the petitioners and respondents 3 and 4 in RLTOP No.40/2023 on the file of the I Additional District Munsif, Trichy and exparte order was passed on 04.01.2024 on the ground that the petitioners and respondents 3 and 4 had not filed any counter and till date, the exparte order passed by the rent controller was not set aside or challenged before any forum and subsequently for implementation of the exparte award dated 04.01.2024, the first and 2nd respondents filed execution proceedings in EP No. 86/2024 and the exparte delivery was ordered on 12.08.2024 against which the petitioners and respondents 3 and 4 filed EA Nos.6 and 7 of 2024 and the petitioners agreed to pay Rs.75,000/- as arrears of rent within a period of fifteen days and on that basis, EA was allowed and on the same day, on the undertaking given by the third respondent, the 4th respondent and the petitioners were exonerated from the EP proceedings



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and the matter was referred to Lok Adalat and in the lok adalat, the third respondent, who is the plaintiff in OS No.321/2023 agreed to vacate the premises on or before 05.05.2025.

9. Admittedly, as per the proceedings in OS No.321/2023, the third respondent alone entered with the oral agreement with the respondents 1 and 2, in which, he claimed that he paid Rs.5,000/- as rent and he is also agreed to pay Rs.7,500/- per month as rent. All these facts clearly shows that the respondents 3 and 4 and the petitioners herein were hand in glove and falsely instituted the suit by the third respondent and thereafter, they refused to vacate the premises and as on date the order passed in RLTOP No.40/2023 is not implemented and even in the present affidavit, these facts were not revealed, especially, with regard to the suit filed by the third respondent before the Court below. All these would clearly establish that the petitioners have not approached this Court with clean hands and upon negotiation and conciliation alone, the award impugned has been passed and hence, it is not stated to be perverse. Accordingly, the civil revision petition stands dismissed.



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10. However, at this juncture, the learned counsel for the petitioners prays that time may be granted to the petitioners to vacate the premises. Accordingly, the petitioners and respondents 3 and 4 shall vacate the premises and hand over possession to the respondents 1 and 2 within a period of one month, ie., on or before 11.07.2025, failing which, the jurisdictional police is directed to evict the petitioners and the respondents 3 and 4 from the suit premises and hand over the same to the respondents 1 and 2 within a period of one week thereafter, ie, on or before 18.07.2025. No costs. Consequently connected Miscellaneous Petitions are closed.

11.06.2025

NCC : Yes/No

Index : Yes/No

Office to Note: Order Copy on 16.06.2025

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TO

1.The 1st Additional District Munsif Court, Trichy

2.VR Section

Madurai Bench of Madras High Court, Madurai.



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M.DHANDAPANI,J

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**ORDER
IN
CRP(MD) (NPD) No.1492 of 2025**

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