



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**DATED: 30.06.2025**

**CORAM**

**THE HON'BLE MR. JUSTICE M.DHANDAPANI**

**C.R.P.[PD](MD)No.1767 of 2025**

**and**

**C.M.P.(MD)No.9634 of 2025**

Sri Guru Vidya Peetam Trust,  
Represented by its Correspondent,  
Dhanalakshmi

...Petitioner

Vs.

1.Sri Saptarishi Research and Medical Foundation,  
No.10, Veerachetti Street, Pulianthope,  
Chennai-600 012,  
Represented by its Secretary,  
K.Sundarrajan

2.Sri Guru Vidya Peetam Trust,  
Door No.29, 8<sup>th</sup> Main Road, 3<sup>rd</sup> Cross Street,  
Srinivasa Nagar, Pudur, Trichy-17,  
Represented by its Managing Trustee,  
NS Rajagopalan

3.Roshan Manavalan

...Respondents

**PRAYER:** Civil Revision Petition is filed under Article 227 of Constitution of India, praying to set aside the fair and decreetal order dated 03.02.2025 made in I.A.No.3 of 2022 in O.S.No.97 of 2017 on the file of the Sub Court, Kulithalai.



For Petitioner : Mr.Raguvaran Gopalan

**ORDER**

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This petition has been filed seeking orders to set aside the fair and decreetal order dated 03.02.2025 made in I.A.No.3 of 2022 in O.S.No.97 of 2017 on the file of the Sub Court, Kulithalai.

2.The first respondent herein filed a suit in O.S.No.97 of 2017 before the learned Sub Judge, Kulithalai, against the petitioner and respondent Nos.2 and 3, seeking permanent injunction restraining them from interfering with the first respondent's peaceful possession and enjoyment of the suit property. Pending suit, the first respondent filed an interlocutory application in I.A.No.3 of 2022 seeking permission to deposit rent for the property for the years 2020 to 2022, amounting to Rs.15,000/-, and also for permission to continue depositing the rent for future periods into Court. The said application was allowed by the trial Court. Aggrieved by the said order, the present Civil Revision Petition has been filed.

3. The learned counsel appearing for the petitioner submitted that the petitioner is the rightful owner of the suit property. However, the second respondent had unauthorisedly executed a lease deed in favour of the first respondent for a period of 99 years, without any authority or consent from the petitioner. Based on such an invalid and unauthorized lease, the first respondent filed the said suit for permanent injunction.



3.(i). The learned counsel for the petitioner further submitted that the deposit of the so-called rent by the first respondent before the trial Court cannot be construed as having been accepted or authorized by the petitioner. The petitioner has not agreed to the quantum of rent being deposited, nor acknowledged the lease arrangement between the first and second respondents, which is collusive in nature and not binding upon the petitioner.

3.(ii). It is further submitted that the order permitting the deposit of rent may be misconstrued as recognition of tenancy or any legal relationship between the petitioner and the first respondent. Hence, the petitioner seeks liberty to agitate all issues, including the validity of the alleged lease and entitlement to the suit property, before the trial Court during trial.

4. Since no adverse orders are going to be passed against the respondents herein, notice to them is dispensed with.

5. In view of the above submissions, this Court clarifies that the amount deposited by the first respondent in the suit through I.A.No.3 of 2022 shall be subject to the outcome of the suit. The said deposit shall not create any right, title, or interest in favour of the first respondent as against the petitioner.



6. It is open to the petitioner to raise all appropriate contentions, including those relating to ownership, validity of the lease, and the quantum of rent, before the trial Court during the course of trial.

7. With the above observations, this Civil Revision Petition is disposed of. The trial Court is directed to dispose of the suit in O.S.No.97 of 2017 on its own merits, uninfluenced by any observation made herein, within a period of one year from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petition is closed.

**30.06.2025**

Internet: Yes/No

Index: Yes/No

TSG

To

1. The Sub Court, Kulithalai.

2. The Section Officer,  
VR Section,  
Madurai Bench of Madras High Court,  
Madurai.



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M.DHANDAPANI, J.

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