



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.07.2025

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THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(NPD)(MD)No.1829 of 2025

and

C.M.P.(MD).No.10097 of 2025

R.Nagalakshmi

...Petitioners

Vs.

1.S.Alagarsamy

A.Ramakrishnan (Died)

2.R.Dharmabalan

3.R.Ramya

...Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to call for the records pertaining the order made in C.M.A.No.2 of 2025 on the file of the Court of Rent Appellate Authority, Tiruchirappalli (Principal Sub Judge, Tiruchirappalli) in E.A.No.20 of 2018 in E.P.No.29 of 2017 in R.C.O.P.No.83 of 2009 dated 09.04.2025 on the file of the Additional District Munsif, Tiruchirappalli and set aside the same.

For Petitioner : Mr.S.Lenin Prabu

For R-1 : Mr.P.Mahendran

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ORDER

This Petition has been filed to set aside the order made in C.M.A.No.2 of 2025 on the file of the Court of Rent Appellate Authority, Tiruchirappalli (Principal Sub Judge, Tiruchirapalli) in E.A.No.20 of 2018 in E.P.No.29 of 2017 in R.C.O.P.No.83 of 2009 dated 09.04.2025 on the file of the Additional District Munsif, Tiruchirappalli.

2. On an earlier occasion, the learned Senior Counsel appearing for the petitioner had undertaken to file an affidavit before this Court for vacating the premises. However, today, the learned counsel on record appearing for the petitioner requested this Court to pass orders on merits.

3. The learned counsel appearing for the first respondent / landlord would submit that the petitioner is a tenant under the first respondent. The first respondent had earlier filed a petition in R.C.O.P.No.83 of 2009 before the Rent Controller / III Additional District Munsif, Tiruchirappalli, against the petitioner's husband, viz., Ramakrishnan, seeking a direction to deliver vacant possession of the petition-mentioned property on the grounds of willful default, demolition and reconstruction, and costs. The said petition was allowed on 11.02.2015, directing the petitioner's husband to vacate and hand over possession of the property within a period of two months. Aggrieved by the said order, the petitioner's husband preferred an appeal in R.C.A.No.10 of 2015



before the Rent Control Appellate Tribunal, Tiruchirappalli, which was dismissed by order dated 09.12.2016. Against which, the petitioner's husband

and one C. Vallikannu filed Civil Revision Petitions before this Court in C.R.P.

(MD).Nos.1578 and 1579 of 2017, which were also dismissed on 14.11.2017.

Subsequently, the first respondent initiated execution proceedings in E.P.No.29 of 2017. While the Execution Petition was pending, the petitioner filed E.A.No. 20 of 2019 seeking release of the property and transfer of title in her favour.

The said application was dismissed on 27.06.2024. Challenging the said dismissal, the petitioner filed C.R.P.(MD)No.2182 of 2024 before this Court,

which was dismissed on 07.02.2025. Not stopping there, the petitioner filed

C.M.A.No.2 of 2025 before the Rent Appellate Authority, Tiruchirappalli, and the same was dismissed on 09.04.2025. Challenging the same, the present Civil

Revision Petition has been filed. Meanwhile, the petitioner also filed a suit in

O.S.No.373 of 2019 before the learned Principal District Munsif, Tiruchirappalli, which was dismissed for default on 20.12.2022. The petitioner

thereafter filed I.A.No.2 of 2023 to condone the delay of 167 days in filing an application to restore the suit. The trial Court after considering the submissions

made on either side, dismissed the said petition on 06.10.2023. Thereafter, the

petitioner filed I.A.No.3 of 2023 seeking to review the order dated 06.10.2023, which was also dismissed. Challenging the same, the petitioner filed C.R.P.

(NPD)(MD).No.2105 of 2024, which too was dismissed on 07.02.2025.



4. It is evident from the above sequence of events that all efforts taken by the petitioner have been unsuccessful and have been consistently negated by the competent forums including this Court. The petitioner has been attempting to prolong the matter without any sustainable ground. Today, even the Execution Petition has been executed and possession has been delivered.

5. In view of the above, the Civil Revision Petition stands dismissed. The petitioner is directed to pay a sum of Rs.5,000/- (Rupees Five Thousand only) as costs to the first respondent / landlord. Consequently, the connected Miscellaneous Petition is closed.

04.07.2025

Internet: Yes/No
Index: Yes/No
TSG

To

1.The Court of Rent Appellate Authority, Tiruchirappalli (Principal Sub Judge, Tiruchirappalli)

2.The I Additional District Munsif, Tiruchirappalli.

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



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M.DHANDAPANI, J.

TSG

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