



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-04-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

**CRP No. 979 of 2026
and CMP.No.5273s of 2026**

Jawahar
S/o. Ayamperumal,
No.31, J.J.S., 2nd Street, Ice House,
Sairam Avenue,
Valasaravakkam, Chennai.

..Petitioner(s)

Vs

1. Rajaram
S/o. Muthukrishnan,
res at No.51, ECR Road
Mudaiyur Village and Post
Cheyyur Taluk
Chengalpattu
2. R.Balachandar
S/o.M.Rajaram,
Rest.at No.51 ECR Road,
Mudaiyur Village and Post,
Cheyyur Tk.,
Chengalpet.

..Respondent(s)

PRAYER

Civil Revision Petition filed under Article 227 of Constitution of India, praying to set aside the decreetal order dt. 23.09.2025 in IA No.1/2025 made in OS No.20/2022 and the fair order dt. 10.09.2025 made in IA No.1/2025 made in OS No.20/2022 passed by the learned Subordinate Judge Court at Madurantakam and may be direct to revise the date of arrears of rent which to be paid and pass such other order/orders as this Honble court.



For Petitioner(s):
For Respondent(s):

Mr.A.Thiyagarajan for MS.V.Vani Sujatha
MR.K. GOVI GANESAN FOR R1 AND R2

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ORDER

Aggrieved by the conditional order passed by the Trial Court in I.A. No.1 of 2025, allowing the petition to receive the additional written statement subject to deposit of a sum of Rs.4,70,000/- towards alleged rent arrears, the defendant has preferred the present revision.

2. Before the Trial Court, the defendant filed I.A. No.1 of 2025 seeking to receive an additional written statement, and the same was allowed. However, upon considering the objections raised by the plaintiff/landlord regarding alleged rent arrears amounting to Rs.4,70,000/-, the Trial Court imposed a condition directing the defendant to deposit the said amount while allowing the application. Aggrieved by the imposition of such condition, the present revision has been filed.

3. The learned counsel for the petitioner submits that the petitioner had already paid a sum of about Rs.1,20,000/- per year, which has not been taken into account by the respondent/plaintiff, who has suppressed the said payments and wrongly put forward a claim for Rs.4,70,000/-. It is further contended that the Trial Court erred in directing deposit of the said amount, though the



petitioner is not liable to pay such amount. Hence, objections have been raised to the conditional order.

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4. The learned counsel for the respondents submitted that the suit property was leased out to the revision petitioner for running a petrol bunk, but the petitioner had not complied with the terms of the lease. Therefore, the respondents were constrained to institute a suit for eviction in O.S. No.20 of 2022. It is further submitted that the lease agreement between the parties commenced on 18.12.2018. There has also been a dispute with regard to payment of rent. Though the petitioner now contends that a sum of Rs.1,20,000/- had been paid and not accounted for, there is no proof to show continuous payment of rent. Even assuming such payment had been made, substantial rent arrears still remain due.

5. Considering the submissions and the materials available, and taking note of the admitted arrears, the petitioner is directed to deposit a sum of Rs.3,50,000/- before the Trial Court within a period of four weeks, failing which he shall not be entitled to proceed further with the matter. Upon such deposit, the petitioner is permitted to file the additional written statement, and thereafter the Trial Court shall proceed with in accordance with law and dispose within five months.



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T.V.THAMILSELVI, J.

mpa

6. Accordingly, this Civil Revision Petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

24-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MPA

To

1. The Subordinate Judge Court, Madurantakam
2. The Section Officer, VR section,
High Court of Madras.

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