



WEB COPY

CRP No. 2512 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-04-2026

CORAM

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

CRP No. 2512 of 2025 & CRP NO. 2514 OF 2025

AND

CMP NO. 14376 OF 2025,CMP NO. 14385 OF 2025

1. Mehtab Niyaz
D/o. Late. A. Rahmathi Ali,
No.12/1, Periya Malaiyappan St, Royapettah,
Chennai 014.
2. Shaheen
D/o. Late. A. Rahmathi Ali,
No.20/25, Perambur High Road, Shanthi Nagar,
Mettupalayam, Perambur Barracks, Chennai 12.

..Petitioner(s) in
both C.R.P.s

Vs

1. Parvez Ali
S/o. A. Rahmath Ali, No.21,
Riverview Residence, 7th Street, IAS-IPS
Colony, Old Mahabalipuram Road,
Karapakkam, Chennai 600 097.
2. D. Babu
N.No.26, O.No.12/1, Periya Malayappan Street,
3rd Floor, Royapettah, Chennai 014.

..Respondent(s) in
both C.R.P.s

PRAYER IN CRP No. 2512 of 2025

Civil Revision Petition filed under Art. 227 of Constitution of India, praying to set aside the Fair and Decreetal order made in EA SR.No.19377 of 2025 in EP No.219 of 2024 on the file of X Court of Small Causes, Chennai dated 12.03.2025.

**PRAYER IN CRP No. 2514 of 2025**

Civil Revision Petition filed under Art. 227 of Constitution of India, praying to set aside the Fair and Decreetal order made in EA Sr.No.19379 of 2025 in EP No.218 of 2024 on the file of X Court of Small Causes, Chennai dated 12.03.2025.

In both CRPs

For Petitioner(s): Mr. P. Praveen Kumar

For Respondent(s): Mr. N.Sivaprakash for R1

Batts due for R2 in C.R.P.No. 2512 of 2025

COMMON ORDER

Challenging the impugned orders passed in EA SR.Nos.19377 and 19379 of 2025 in E.P.Nos. 219 and 218 of 2024 by the learned X Judge, X Court of Small Causes, Chennai, the Revision Petitioners preferred these Civil Revision Petitions.

2.Before the trial court, the Revision Petitioners, who are third parties filed applications under Order 1 Rule 10 r/w 151 of C.P.C. to implead themselves as respondents in E.P.Nos. 218 and 219 of 2024 and the said applications were dismissed by the trial judge holding that being the third parties, they have no right to make objections in the execution proceedings, which were filed by the 1st respondent/landlord/decreed holder, wherein the decree was passed by the Rent Controller in RLTOP Nos.47 and 48 of 2023. Aggrieved over that, these Civil Revision Petitions have been filed.



3. Admittedly, the revision petitioners are third parties and they are claiming as sisters of 1st respondent/landlord. The learned counsel for revision petitioners would submit that revision petitioners are residing in that property based on the Hiba dated 17.06.2023. But, admittedly, the rent control proceedings initiated in RLTOP Nos. 47 and 48 of 2023 by the 1st respondent/landlord against the 2nd respondent Babu, who claimed as tenant and in the said petitions, on hearing both sides, the learned Rent Controller has passed the detailed order and finally allowed the petition for recovery of possession of the premises under the ground stipulated under Sec.21(2)(a) of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017 and directed the tenant to vacate and hand over possession of the premises. To execute the said decree, the 1st respondent/landlord had preferred Execution Petitions in E.P.Nos. 219 and 218 of 2024 before the executing court. At that stage, the revision petitioners/third parties as well as sisters of 1st respondent/landlord came forward with the said applications. The trial judge had rightly observed that they have no right to cause interference in the execution proceedings. If at all, they are having any right, they have to work out their remedy in the suit. Admittedly, the suit for the relief of partition was filed against the 1st respondent/landlord. So, they have to work out their remedy in the suit and that the execution proceedings would not make any obstruction proceedings to claim their right. Therefore, the Executing Court has rightly dismissed the applications, which requires no interference. Accordingly, the



findings rendered in EA.SR.No.19377 and 19379 of 2025 by the X Judge, X Court of Small Causes, Chennai are confirmed and these Civil Revision Petitions are dismissed. No costs. Consequently, connected civil miscellaneous petitions are closed.

02-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

RPP

To

The X Judge, X Court of Small Causes, Chennai



WEB COPY

CRP No. 2512 of 2



T.V.THAMILSELVI J.

RPP

**CRP No. 2512 of 2025 & CRP NO. 2514 OF 2025
AND
CMP NO. 14376 OF 2025, CMP NO. 14385 OF 2025,**

02-04-2026