



WEB COPY

CMP No. 17866 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-03-2026

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CMP No. 17866 of 2025

in

CRP.No.1973 of 2025

1. S.Sathik

S/o Shaul Hammed (Late), No.14/34,
Domoodharan Street, T Nagar (Post
Office Opposite) Chennai 600 017

Appellant(s)

Vs

1. K.Ethirajan

No.311, 34th Street, 7th Sector,
K.K.Nagar, Chennai 600 078

2.E.Saikrishnan

Rep by his Power Agent/Father
E.Ethirajan No.311, 34th Street, 7th
Sector, K.K.Nagar, Chennai 600 078

Respondent(s)

For Appellant(s): R.Kabali
D.devendran
K Amirthiraj

For Respondent(s): M/s. R. Pravesh, Learned
Counsel Of M/s. P.b. Ramanujam
Associates (las Firm) TAKES
NOTICE FOR RESPONDENT
Vide Court Order Dt.07.10.2025



ORDER

The learned counsel for the petitioner submitted that the revision petitioner has preferred the present CMP to restore the CRP.No.1973 of 2025. He further submitted that the counsel could not appear on the earlier occasion and therefore was unable to follow the proceedings, which resulted in the dismissal of the CRP for default on 12.06.2025.

2. The learned counsel for the respondents raised a strong objection stating that the petitioner had purposely allowed the CRP to be dismissed for default. He further submitted that the respondents had already succeeded in the eviction proceedings in RLTOP No.652 of 2021 before the XIII Small Causes Court (Rent Control) and also in the appeal in RLTA No.103 of 2024, on the file of XVIII City Civil Court, Chennai. As on date, the respondents intends to take possession of the property, but due to the pendency of these proceedings they are unable to execute the decree.

3. The learned counsel for the respondents further submitted that the petitioner had also filed a suit in C.S. No.86 of 2020 for recovery of money against the respondents/landlords, which according to the respondents is a frivolous suit. He contended that even in that suit the petitioner has not been cooperating with the proceedings. Therefore, the conduct of the petitioner



clearly indicates that he is attempting to drag on the proceedings. The petitioner has wantonly filed the present application and the reasons assigned for restoration of the CRP are not sufficient. Hence, strong objections were raised by the respondents.

4. Admittedly, the respondents/landlords succeeded in the eviction proceedings in RLTOP No.652 of 2021 and also in the appeal in RLTA No.103 of 2024, thereby resulting in concurrent findings in his favour. Thereafter, the present revision has been preferred by the petitioner.

5. Due to non-prosecution, the CRP.No.1973 of 2025 was dismissed on 12.06.2025. The application seeking restoration of the same has been filed within five days from the date of dismissal. Considering the fact that the restoration application has been filed within a short period, this Court is inclined to grant one more opportunity to the petitioner, subject to the objections raised by the respondents.

6. Accordingly, the CRPNo.1973 of 2025 is restored. This **Civil Miscellaneous petition is allowed.**



7. The learned counsel for the respondents also pointed out that in the affidavit filed in support of the petition, no proper reason has been assigned for the non-appearance of the petitioner on 11.06.2025 and 12.06.2025 when the matter was posted. The said aspect is also taken note of by this Court.

8. Further, it has been brought to the notice of this Court that the petitioner has been writing unnecessary letters to various Judges of the High Court, which practice cannot be encouraged. The petitioner is therefore strictly instructed to address the arguments on the next hearing date.

9. Post the CRP.No.1973 of 2025 on 12.03.2026 for arguments. Both parties are directed to cooperate for the disposal of the case.

10-03-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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To

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2.E.Saikrishnan

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3.The XIII Small Causes Court (Rent
Control).

4.The XVIII City Civil Court, Chennai.



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T.V.THAMILSELVI J.
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