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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-11-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

CRP.No.5148 of 2026

CNR:{HCMA011944142026}

Case QR

and CMP.Nos.22478 and 26435 of 2026

A.Lackendran

..Petitioner(s)

Vs

G.Murali

..Respondent(s)

PRAYER: This Civil Revision Petition is filed under Section115 of the Code of Civil Procedure, to set aside the order passed by the XV Court of Small Causes, Chennai dated 12.08.2026 in EP.No.828 of 2025 in RLTOP.No.34 of 2025.

For Petitioner : Mr.M.Loganathan

For Respondent : Mr.M.Sriram

ORDER

The Civil Revision Petition is filed challenging the order passed by the Executing Court in EP.No.828 of 2025 in RLTOP.No.34 of 2025, dated 12.08.2026 allowing the execution petition filed by the respondent for delivery of the demised premises.

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2. The respondent herein filed a petition seeking repossession under Section 21(2)(a) of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017. The said petition was allowed by the Rent Court. Aggrieved by the same, the petitioner/tenant filed an appeal before the Rent Tribunal in RLTA.No.204 of 2025 on the file of III Additional Judge, City Civil Judge, Chennai. Since the petitioner failed to get any stay from the Rent Tribunal, the Rent Court/Executing Court ordered delivery of the property. Aggrieved by the same, the petitioner has come before this Court.

3. The learned counsel appearing for the petitioner would submit that the stay petition filed by the petitioner before the Rent Tribunal is very much pending. In such circumstances, the Executing Court ought not to have ordered delivery of the property.

4. The learned counsel appearing for the respondent would submit that since the petitioner failed to get any stay from the Rent Tribunal, the Executing Court proceeded to pass orders for delivery of the property and the order is perfectly in accordance with law.

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5. Taking into consideration the facts of the case and in order to balance the rights of the parties, this Court feels that the Rent Tribunal shall be directed to dispose of the stay petition pending on its file in I.A.No.2 of 2026. It is stated that the next date of hearing before the Rent Tribunal is on 20.11.2026. The Rent Tribunal namely the III Additional Judge, City Civil Judge, Chennai is directed to take up the stay petition in I.A.No.2 of 2026 in RLTA.No.204 of 2025 and dispose of the same in accordance with law on or before 30.11.2026. Till such time, the impugned order of delivery of the property passed by the Executing Court is kept in abeyance.

6. With this direction, this Civil Revision Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

05-11-2026

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

dm

To

The XV Court of Small Causes, Chennai.

Copy to

The III Additional Judge, City Civil Judge, Chennai.

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S.SOUNTHAR J.

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