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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2025

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THE HONOURABLE MR JUSTICE P.B. BALAJI

CRP.No.6599 of 2025
& CMP.No.32695 of 2025

Samaran @ Sathis

... Petitioner

Vs.

Sree Lakshmidevi Trust

... Respondent

Prayer: Civil Revision Petition filed under Section 115 of CPC, to set aside the decree and order passed in E.A.No.95 of 2017 in E.P.No.330 of 2017 in RCOP.No.250 of 2013 on the file of the XII Court of Small Causes Judge, Chennai, dated 08.12.2025.

For Petitioner : Mr.S.Venkatesh

For Respondent : Mr.A.K.Sriram
Senior Counsel
for M/s.A.S.Kailasam & Associates

ORDER

After elaborately hearing Mr.S.Venkatesh, learned counsel for the petitioner/tenant and Mr.A.K.Sriram, learned counsel for the respondents/landlords, I have indicated that the petitioner does not have any case on merits.

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2.The learned Senior Counsel, Mr.A.K.Sriram, also brought to my notice that the petitioner himself has deposed in the present execution petition, where he has admitted the respondents/Trust to be the owner and Mr.P.K.Balamuruges, to be representing the Trust and that he is paying rents to the said P.K.Balamuruges. However, contrary to such admissions made in the execution petition, the petitioner has now sets up a case, as if the said P.K.Balamuruges has no right to represent the Trust. However, he admits that the Sree Lakshmidēvi Trust owns the property.

3.According to the learned counsel for the petitioner, the petitioner's father was appointed as a caretaker to look after the premises and he was occupying the property, without payment of any rent. The learned counsel for the petitioner would however state that at no point of time, there is a rental agreement between the parties and subsequent to the death of the petitioner's father, the petitioner is in occupation of the tenanted premises.

4.The Courts have found all these contentions to be unsubstantiated and in fact, even in Section 11(4) of the TNBLR Act, 1960 petition, the petitioner was found to be in huge arrears and a sum of Rs.4,95,000/- was directed to be deposited. The said amount was not deposited and an eviction



order was passed consequently, pursuant to the Section 11(4) petition being ordered.

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5.The said order was not initially challenged, however, recently in RCA.SR.Nos.7825 & 7826 of 2025, the petitioner has belatedly chosen to challenge the orders passed by the trial Court, as well as the consequential order of eviction in the RCOP. I do not see any bonafides in the claims made by the petitioner. The petitioner has been squatting over the property from January 2009 and he has not paid rents. The petitioner is not able to show any documentary evidence that he has been appointed as a caretaker or that his father was holding the property to such capacity and that there is no obligation to pay any rents.

6.Admittedly, the petitioner is not the owner of the property and he admits the respondent/Trust to be the owner of the property. In this backdrop, I do not see any merit in the revision petition. The learned counsel for the petitioner however seeks time till 15.04.2026 to vacate and hand over vacant possession. The request for time till 15.04.2026 is vehemently opposed by the learned Senior Counsel for the respondent, on the ground that the petitioner has not come to Court with clean hands and has been taking inconsistent stands throughout and the respondent does not believe

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any of the averments, that are projected before this Court, in order to even seek three months or four months time, to vacate and hand over the vacant possession.

7.Considering the arguments advanced on either side and also taking into account the fact that the petitioner has been enjoying the property right from January 2009, without payment of any rents, except for making payment of certain portions of Property Tax arrears to the Corporation of Chennai, the proof of which has been marked in Ex.P3 to Ex.P6 and Ex.P12 in EA proceedings, I am inclined to accede to the request of the counsel for the petitioner, by granting time till 15.04.2026, subject to the following conditions:

(i) The petitioner shall pay Rs.5,00,000/- towards portion of the arrears on account and without prejudice to the claim of the respondent/landlord to recover the remaining arrears, by filing a civil suit, by 31.01.2026.

(ii) The petitioner shall file an affidavit of undertaking that he shall vacate and hand over vacant possession on or before 15.04.2026, without seeking any further extension of time.

(iii) The petitioner shall undertake to withdraw RCA.SR.Nos.7825 & 4/8



7826 of 2025 unconditionally. If the undertaking affidavit is filed on or before 06.01.2026, then the request for extension of time, subject to payment of Rs.5,00,000/- shall be entertained.

8.Post the matter on 06.01.2026, under the caption 'for reporting compliance'.

19.12.2025

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Note: Issue order copy on 19.12.2025.

P.B. BALAJI,J.

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To
The XII Court of Small Causes Judge, Chennai.

CRP.No.6599 of 2025

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& CMP.No.32695 of 2025

19.12.2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-01-2026

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

**CRP No. 6599 of 2025 and
CMP No.32695 of 2025**

Samaran Alias Sathis

Petitioner(s)

Vs

Sree Lakshmidevi Trust
Rep, by its Managing Trustee
P.K Balamuruges,
No 99/10, Nungambakkam High
Road, Chennai 600 034.

Respondent(s)

PRAYER Civil Revision Petition filed under Section 115 of Code of Civil Procedure, to set aside the Decree and Order passed in EA.No.95 of 2017 in EP.No.330 of 2017 in RCOP.No.250 of 2013 on the file of the learned XII Court of Small Causes Judge, Chennai dated 08.12.2025

For Petitioner(s): Mr.Venkatesh S.

For Respondent(s): Mr.A.K.Sriram, Senior Counsel
Assisted by Mr.S.Surya

ORDER

Today, this matter is listed under the caption “for reporting compliance”.

2. In compliance of the order dated 19.12.2025, the petitioner has filed



an affidavit of undertaking dated 02.01.2026 and it encompasses all the direction issued in the order dated 19.12.2025.

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3. The affidavit of undertaking, dated 02.01.2026, is recorded. The petitioner shall ensure strict compliance of various components of the undertaking affidavit without any default.

4. In view of the above, the order dated 19.12.2025 made in CRP No.6599 of 2025 shall take effect. Recording the compliance, the Civil Revision Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

06-01-2026

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