



WEB COPY

CRP No. 69 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-01-2026

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

**CRP No.69 of 2026 and
CMP No.200 of 2026**

Merit Gold Covering Jewellerys
Rep by Nallammal Gani Begum,
W/o.Late Mr.Idiris,
New No.57, Old No.26,
Purasaiwalkam High Road,
Chennai 600 007.

Petitioner(s)

Vs

S.K.Balasingam

Respondent(s)

PRAYER Civil Revision Petition filed under Section 227 of Constitution of India, to set aside the Common Fair and Decretal Order dated 11.12.2025 made in RLTA No.52 of 2025 on the file of the IV Additional City Civil Court confirming the Eviction order dated 19.11.2024 made in RLTOP No. 402 of 2020 on the file of XV Court of Small Causes at Chennai and consequently dismiss the eviction petition

For Petitioner(s): Mr.B.Manoharan

For Respondent(s): Ms.P.Shanthini for
Mr.R.Karthikeyan

ORDER

Heard Mr.B.Manoharan, learned counsel for the petitioner / tenant and
Mr.R.Karthikeyan, learned counsel for the respondent / Caveator / landlord.



2. The revision petitioner is a tenant, challenging the concurrent eviction orders passed by the Rent Court as well as Rent Tribunal. The defence raised by revision petitioner was that there is no jural relationship of landlord and tenant between the petitioner and the respondent. The respondent, landlord was not the only surviving legatee / legal heir of deceased Gnanasoundari Ammal and further he claims to be a foster son and also under Will which remains unprobated as on date.

3. The learned counsel for the respondent / caveator would however bring to my notice that in respect of the very same premises, another eviction proceeding initiated by the present respondent as against another tenant by name M/s.Shahul Churidhar Materials, Represented by Proprietrix M.Noornisa & there I have considered a similar defence raised by the tenant in those cases arising in CRP Nos.4440 and 4442 of 2025 and by order dated 23.09.2025, I had confirmed the eviction orders passed by the Rent Court and Rent Tribunal. However, I have granted time to the said tenants to vacate the premises by 30.04.2026.

4. Mr.B.Manoharan, learned counsel for the petitioner would however seek further time in the present matter as we are already in January 2026.



5. The learned counsel for the respondent / caveateor object to the request for time to be granted on the ground that the petitioner is in huge arrears of Rs.2,62,300/- which represents 43 months rent @ Rs.6,100/- per month.

6. It is an admitted case of the parties that the revision petitioner who was in arrears, constrained the respondent to take out Distress Application in No.3 of 2025 and the same was allowed and pursuant to the said order, a sum of Rs.67,100/- was paid to the respondent/ landlord and thereafter no rents have been paid by the petitioner pending RLTA.

7. Be that as it may, in view of the fact that the issue has already been decided by me in a connected revision, I am not inclined to entertain the present revision. However, considering that the petitioner is carrying on non residential Jewellery business in the petition mentioned premises, I am inclined to grant time to the petitioner to vacate the premises by 30.06.2026 subject to the following terms:

- i. the petitioner shall file an affidavit of undertaking that she would vacate and hand over the vacant possession under her occupation on or before 30.06.2026.
- ii. The petitioner shall not induct any third parties, by sub letting the petition mentioned premises under her occupation till such time, she vacates and hand over the vacant possession, not later than 30.06.2026.



iii. The petitioner pays the respondent the entire arrears of Rs.2,62,300/- within a period of four weeks from today.

iv. The Affidavit of undertaking shall be filed on or before 23.01.2026.

8. With the above terms, this Civil Revision Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

06-01-2026

vum

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1. IV Additional City Civil Court,
Chennai.

2. The XV Court of Small Causes at
Chennai.



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Today, the matter has been taken up under the caption “For Being Mentioned”

2. Heard Mr.B.Manoharan learned counsel for the revision petitioner/tenant and Ms.P.Shanthini, learned counsel for the respondent/landlord.

3. Mr.B.Manoharan, learned counsel for the petitioner, inviting my attention to the conditional order passed by this Court on 06.01.2026 that the arrears of Rs.2,62,300/-(Rupees Two Lakhs Sixty Two Thousand Three Hundred Only) will have to be paid by 05.02.2026, would state that a sum of Rs.62,300/-(Rupees Sixty Two Thousand Three Hundred Only) has been paid yesterday evening (04.02.2026) and he seeks some time to pay the balance amount of Rs.2,00,000/-(Rupees Two Lakhs Only) in four equal instalments of Rs.50,000/-each.

4. In view of the above submission, the petitioner is directed to pay a sum of Rs.50,000/-(Rupees Fifty Thousand Only) on or before 5th of succeeding month viz., March, April, May and June 2026.



5. Insofar as the rents from January 2026, the petitioner shall pay the rent in advance on or before 10th of the same month, excepting rent for January 2026 which shall be paid on or before 10th of February 2026.

05.02.2026

srIndex:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

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2. The XV Court of Small Causes at Chennai.



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SR

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05.02.2026