

**IN THE COURT OF THE PRINCIPAL DISTRICT MUNSIF CUM
RENT COURT, POONAMALLEE**

**Present: Tmt.B.Risana Parveen, M.L., MHRM.,
Principal District Munsif Cum Rent Court
Poonamallee.**

Thursday, the 25th day of June, 2026

M.P.No. 1 of 2025,

and

M.P No. 2 of 2025

in

R.L.T.O.P. No.24 of 2025

M/s. CUVIYAM MEDIATECH PVT, LTD.,

Represented by its Managing Director Hariharan

... Petitioner / Respondent

versus

Meenakshi

... Respondent / Applicant

This petition has been heard in the presence of **Mr.R.Venkatesan**, the learned Advocate for the petitioner and **Mr.R.Mohan**, the learned Advocate for the respondent and having perused the entire records and evidence and this petition having stood over for my consideration till this day, this Court delivered the following

COMMON ORDER

(1) The Petitioner has filed the present petition under **Section 151 of Code of Civil Procedure** in **M.P. No. 1 of 2026**, seeking condonation of delay of 22 days from 07.10.2025 in filing this set aside petition.

(2) The Petitioner has filed the present petition under **Section 37(1)(g) of Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017**, seeking to set aside the exparte order dated 07.10.2025 passed against the petitioner/respondent in the above RLTOP.

(3) The petitioner is the respondent in the main RLTOP. The petitioner submits that the respondent herein had filed O.S. No. 28 of 2024 before the Additional District Munsif, Poonamallee Court, seeking a decree of permanent injunction restraining him, his men, agents, or anybody claiming under him from evicting the plaintiff from the petition schedule property except by due process of law. The said suit is stated to be pending. The petitioner further submits that this Court passed an exparte order against him on 07.10.2025 and posted the matter for exparte evidence on 01.12.2025. According to him, he came to know about the proceedings only recently and had not received any summons from this Court. He contends that there was no intention on his part to evade the process of law and that his non appearance was neither willful nor wanton. Hence, he seeks condonation of delay and setting aside of the exparte order.

(4) Per contra, the respondent filed a counter contending that the petitioner became a tenant in July 2017. As per the rental agreement dated 08.07.2017, the petitioner paid an advance amount of Rs.2,00,000/- and the monthly rent was fixed at Rs.35,000/-, which was subsequently increased to Rs.50,000/-. It is alleged that the petitioner failed to pay rent from September 2024 onwards. After the expiry of the rental agreement, the petitioner did not come forward to execute a fresh agreement despite repeated demands. Consequently, the respondent terminated the tenancy and issued a legal notice. It is further contended that summons in the present proceedings were duly served upon the petitioner, yet he deliberately failed to appear before this Court and was rightly set exparte. The respondent therefore disputes the petitioner's claim that he had not received summons. It is also submitted that the petitioner is in arrears of rent from September 2024 onwards and continues to remain in occupation of the premises without payment of rent. Hence, the respondent prayed for dismissal of the petition.

(5) This Court has carefully considered the rival submissions. The petitioner asserts that he did not receive summons and that his absence was not deliberate. Upon coming to know of the proceedings, he has approached this Court and expressed his readiness to contest the matter on merits. Though the respondent contends that the petitioner is a chronic defaulter in payment of rent and is unlawfully occupying the property, such contentions relate to the merits of the main

proceedings and can be adjudicated only after both parties are afforded an opportunity to place their respective cases before the Court.

(6) It is a settled principle that matters should ordinarily be decided on merits rather than on technicalities. If the petitioner is denied an opportunity to participate in the proceedings, irreparable prejudice may be caused to him. Though there is delay attributable to the petitioner, the same can be compensated by imposing reasonable costs.

(7) Accordingly, the delay is condoned subject to **payment of costs of Rs.500/- in each petition.** On such payment, the exparte order dated 07.10.2025 passed by this Court shall stand set aside. In fine, **these petitions are allowed on condition of payment** of the aforesaid costs.

Dictated by me to the Steno-Typist, transcribed and typed by him, corrected and pronounced by me in the Open Court on the 25th day of June, 2026.

**Principal District Munsif Cum Rent Court,
Poonamallee.**