

I Additional Court
I.A.No.1 of 2026
in
A.S.No.13 of 2026
Date: 27.01.2026
Order pronounced:

Heard the counsel for the petitioner. Perused the judgment and decree of the trial court in O.S.No.4601 of 2021, affidavit, petition and the grounds of appeal. Upon perusal of the same, it reveals that the respondent/plaintiff has filed the suit for declaration and recovery of possession and after the full fledged trial, the trial court has decreed the suit as prayed for and further the trial court has come to the conclusion that the plaintiff has got possessory right over the suit property and accordingly the trial court has decreed the suit as prayed for.

The learned counsel for the petitioner would contend that the petitioner/appellant has been residing in the suit premises for more than 35 years and the trial court without considering the mandatory requirement for issuance of notice to the Tamil Nadu Slum Clearance Board has erroneously decreed the suit and further he submits that the petitioner is ready to deposit a reasonable sum towards the damages for use an occupation and hence he prays to ad interim stay of the operation of the judgment and decree in O.S.No.4601 of 2021 on the file of III Assistant City Civil Court, Chennai, dated 09.10.2025. Further he would submit that unless, the stay is granted the petitioner will be evicted from the suit premises and he will be put to irreparable loss and hardship.

Considering the submissions made by the counsel for the petitioner and the possession of the petitioner over the suit property, this court is inclined to grant ad interim stay of the operation of the judgment and decree in O.S.No.4601 of 2021 on the file of III Assistant City Civil Court, Chennai, dated 09.10.2025 till 23.02.2026 subject to the following conditions that the petitioner shall deposit a sum of Rs.3000/- per month from the date of decree to till date into the credit of O.S.No.4601 of 2021 on the file of III Assistant City Civil Court, Chennai and further condition that the petitioner shall deposit a sum of Rs.3,000/- per month in the future months. Notice to the respondent by 24.02.2026.

I Additional Judge