

IN THE COURT OF THE FIRST ADDITIONAL DISTRICT JUDGE,
TIRUNELVELI.

PRESENT: Thiru. D. SELVAM, M.L.
1st Additional District Judge,
Tirunelveli.

Thursday, the 23rd day of October 2025.

I.A. No. 3/2025 in OS No. 281/2024

1. Sujith	
2. Rubikkan Acro Technologists	
Partnership Company, through its Partner Sujith	... Petitioners/Plaintiffs
	// Versus //
Vaithiyanathan	... Respondent/ Defendant

This petition came up before this court on 10.10.2025 for a final hearing in the presence of Thiru. S.Navamani, Advocate for the Petitioner, and Thiru. A.R.Ramasubramanian, Advocate for the Respondent, and upon hearing both sides' arguments and upon perusing the records and having stood over till this date for consideration, this court delivers the following ...

ORDER

1. This petition has been filed under section 151 of the C.P.C for permission to deposit the rent of Rs.9,000/- for the month from April 2025 to June 2025 and subsequent month.

2. The brief averments in the petition are as follows:-

The petitioners are the plaintiffs. The suit has been filed for the right of preemption and injunction. The petitioners are the tenants of the respondent. On

pending of tenancy, the respondent has not extended the tenancy and dispute arose. So, the petitioners sent the rent through Bank. But the respondent has returned to the petitioners. The returned rent amounts maintained by his bank account. So, the petitioners wants to deposit the rent in the court account till the disposal of the suit. Hence, the petition is filed.

3. The brief averments of the counter filed by the respondent is as follows:-

The petition is not maintainable either in law or on the facts. The respondent denied the allegations contained in the affidavit except for the admitted facts. The petitioners have no right to deposit the rent after expiry of the lease period. The petitioners could not entitle the suit relief at any cost. The petitioners have filed this application with intention to harras the respondent and drag on the suit with this type of application. Hence the petition may be dismissed with costs.

4. The Point for determination in the petition is:

Whether the petition can be allowed?

5. During the enquiry, no evidence was adduced and no documents were marked on both sides.

6. Answer to the Point: -

(i) Heard both sides. This court carefully perused the affidavit, counter, and case records.

(ii) The suit has been filed for the relief of preemption right with injunction not

evict the plaintiffs without due process of law. As per affidavit, the respondent has not received the rent towards the schedule property. The respondent has opposed the petition. As per the admitted facts, there is landlord and tenant relationship between the parties. Now the landlord has refused to receive the rent. So, this court would like to permits the petitioners to deposit the rent before court till the disposal of the suit to avoid the unnecessary complications by the interest of justice.

7. In the result, this petition is allowed with the following conditions

1. The permission to deposit the rent is not sanction of any right to the petitioners in respect of this case.
2. The petitioners shall be deposited the arrears of rent within two weeks.
3. The petitioner shall deposit the rent on or before 5th day of every month till the disposal of suit.
4. The petitioners shall commence the evidence without delay.
5. No costs.

This order is directly dictated to the steno-typist, typed by her in a computer, and corrected and pronounced by me in open court on this, the 23rd day of October 2025.

1st Additional District Judge,
Tirunelveli.

The petitioners side witnesses and documents: Nil
The respondents' side witnesses and documents: Nil

1st Additional District Judge,
Tirunelveli.

I Additional District Court,
Tirunelveli
DRAFT / FAIR ORDER
IA No.3/2025 in
OS No.281/2024
Dated: 23.10.2025