



WEB COPY

CRP No. 2207 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 09-06-2026**

CORAM

**THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI**

**CRP No. 2207 of 2026**

**AND**

**CMP No. 9601 of 2026**

Vijayaraghavan  
S/o. Annamalai,  
No.7C/Flat CG1, Trinity Park,  
Bharathiyar Nagar Main Road,  
Mettukuppam, Chennai-600 097.

..Petitioner(s)

Vs

1. R.Thilagavathi  
D/o. V.A.Ramakrishnan,  
Previously at Plot No.4,  
R.V.Nagar, Virupachipuram,  
Vellore District,  
Now at 1/142, Gandhi Road,  
Ariyur, Vellore-632 055.
2. Arul Gropups Property  
Management and Arrangement Service  
Company,  
Rep.by its Director B.A.Nambi,  
No.9 VCP Murphy Square First St,  
G.S.T.Road,  
St.Thomas Mount,  
Chennai 016.  
Sice the 2nd respondent was not nessery party  
he is given up

..Respondent(s)

**CRP No. 2207 of 2026**

To set aside the docket order dated 9.2.2026 and made in EP.NO.42/2024 on the file of the learned District Munsiff cum Judicial Magistrate at Sholinganallur.

**CMP No. 9601 of 2026**

To order stay of all further proceedings in the EP.No.42/2024 on the file of District Munsiff cum Judicial Magistrate, Sholinganallur in RLTOP.NO.11/2020 on the file District Munsiff, Alandur pending disposal of the above CRP.

**CRP No. 2207 of 2026**

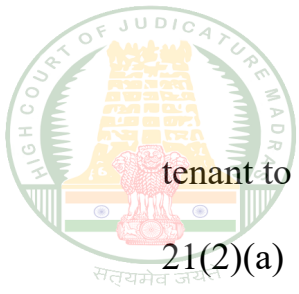
For Petitioner(s): Mr.S.Balasubramanian

For Respondent(s): Mr.V.Sundar Raman  
For R1

**ORDER**

Challenging the dismissal order dated 09.02.2026 made in E.A. No.1 of 2024 in E.P.No.42 of 2024 on the file of the District Munsiff cum Judicial Magistrate at Sholinganallur, this Civil Revision petition has been filed.

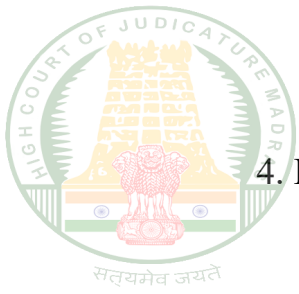
2. The learned counsel for the petitioner would submit that the 1<sup>st</sup> respondent is the landlord who leased out the suit property to the 2<sup>nd</sup> respondent with a right to sub letting the property. As such, the 2<sup>nd</sup> respondent rented out the same to the petitioner. The petitioner executed an unregistered lease agreement with the 2<sup>nd</sup> respondent. While being so, the petitioner is not the



tenant to the 1<sup>st</sup> respondent, the petition in RLTOP No.11 of 2020 under Section 21(2)(a) filed by the 1<sup>st</sup> respondent for eviction is not maintainable and the

Decree dated 17.10.2023 was passed as against the petitioner in his absence which is in-executable. Further, the petitioner has not been granted time for filing the their counter in order to set forth their case in detail. In the exparte order passed by the Rent Control Court, the petitioner filed E.P. No. 42 of of 2024 seeking for execution of the decree passed by the Rent Control Act. Being aggrieved by the aforesaid order, the petitioner filed EA. No.1 of 2024 seeking to set aside the Exparte decree passed against him. The same was dismissed by the order dated 09.02.2026. Hence, the petitioner has filed the present Civil Revision Petition seeking to set aside the same.

3. The learned counsel for the 1<sup>st</sup> respondent would submit that the petitioner being the tenant has not paid the rent regularly and hence, the Trial Court has ordered the petitioner who did not contest and did not file counter, to vacate the suit premises within two months from the date of decree. However, he did not obey the decree passed by the Trial Court. Hence, the 1<sup>st</sup> respondent filed E.P. No.42 of 2024 seeking to execute the order passed by the Trial Court. Even though the petitioner was given sufficient opportunity to contest the Rent Control proceedings, he failed to file appeal to challenge the exparte order passed by the Rent Court. Hence, the Execution Court has rightly dismissed the petition in E.A. No.1 of 2024 filed by the petitioner.



4. Heard both sides and perused the materials available on record.

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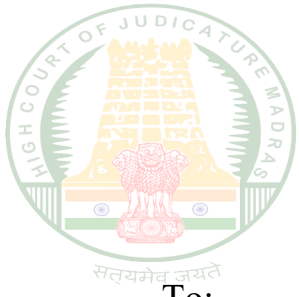
5. On perusal of the records, it is seen that the petitioner being the Tenant in the suit premises belonged to the 1<sup>st</sup> respondent, was ordered to vacate the suit property in RLTOP No.11 of 2020 within a period of two months from the date of receipt of copy of that order. Even though it was exparte order, the petitioner ought to have challenged the same for his remedy by way of appeal. While there is a remedy in the appeal, the petitioner has filed the present Civil Revision Petition which is unsustainable and liable to be dismissed. Hence, the petitioner is hereby directed to file an appeal as against the exparte order dated 17.10.2023 in accordance with law.

6. In the result, the Civil Revision Petition stands dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

**09-06-2026**

Index: Yes/No  
Speaking/Non-speaking order  
Neutral Citation: Yes/No

Lbm



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To:

The District Munsiff cum Judicial Magistrate  
Sholinganallur.



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**T.V.THAMILSELVI J.**

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