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CRP No. 5954 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-09-2026

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

**CRP No. 5954 of 2025
and CMP Nos.22800 of 2026 and 29443 of 2025**

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S/o.Kasbar, D.No.27/1, Masuthi Street,
Velachery Road, Saidapet, Chennai 600 015

Petitioner(s)

Vs

M.Sujatha
W/o.M.Magesh Kumar, Old No.5, New
No.11, First Street, Rangarajapuram Little
Mount, Saidapet, Chennai 600015

Respondent(s)

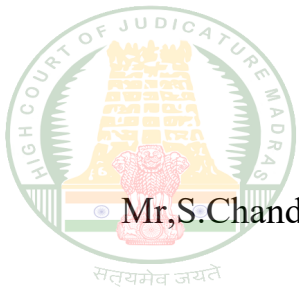
Revision filed under Article 227 of Constitution of India seeking number of (SR) No.ATN20230008254D202500037 (online filing number) in EP No.854 of 2025 in R.L.T.O.P.No.30 of 2025 on the file of X Small Causes Court, Chennai filed by the petitioner herein under Section 38(4) of TN (RRR) L & T Act 2017 r/w Order 21 Rule 26 CPC.

For Petitioner(s): Mr.K.Selvakumar

For Respondent(s): Mr.S.Chandur Eashwaran
for Mr.E.C.Ramesh

ORDER

Heard Mr.K.Selvakumar, learned counsel for the revision petitioner and



Mr, S. Chandur Eashwaran, learned counsel for the respondent.

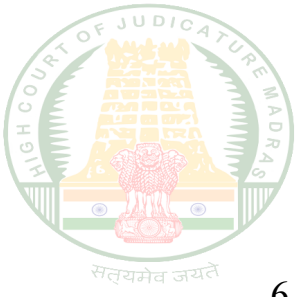
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2. The revision petitioner is the tenant, challenging the order passed in the execution proceedings.

3. Learned counsel for the revision petitioner would bring to my notice that a fraud has been played upon by the respondent/lady and the counter statement that was filed before the Rent Court was not signed by the petitioner, but some other person by forgery and impersonation. He would therefore state that all these material aspects would have to be necessarily gone into by the Court before dealing with the eviction petition.

4. Learned counsel for the respondent/landlord would however state that the allegations are false and invented for the purpose of protracting the proceedings and the petitioner himself has appeared in person before the rent Court and deposed in the RLTOP No.30 of 2025 . He would in any event state that these are matters which can be gone into only by the appellate Tribunal and cannot be agitated in the present revision petition which arises only out of the execution proceedings.

5. Admittedly, today, the prayer sought for in the revision has become infructuous as the appeal filed by the petitioner/tenant has been numbered and it is pending in RLTA No.93 of 2026 on the file of XV Additional City Civil Court, Chennai.



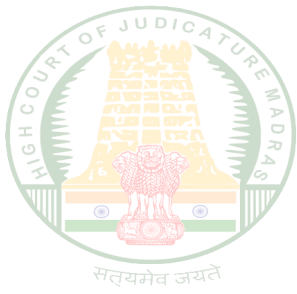
CRP No. 5954 of 2025

WEB COPY

6. In the light of the above, the civil revision petition is disposed of on the

following terms:-

- (i) The XV Additional City Civil Court, Chennai shall dispose of RLTA No.93 of 2026 on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order;
- (ii) It shall be open to the petitioner to agitate all his grievances and contentions in the pending RLTA No.93 of 2026, including the allegation that the counter statement filed before the Rent Court was forged and not signed by the petitioner;
- (iii) The parties will not be permitted to lead any fresh evidence since the petitioner has already deposed before the Rent Court;
- (iv) It shall be open only to the petitioner/tenant to make out a case of fraud as claimed by him that he has not signed the counter affidavit and he was brought to Court for different purpose of giving evidence in a civil suit which was filed by him for permanent injunction and not in relation to the eviction case filed by him.



WEB COPY



CRP No. 5954 of 2025

P.B.BALAJI.,J

sr

(v) The Rent Tribunal shall dispose of the appeal in RLTA No.93 of 2026 after hearing the arguments on both sides within a period of six weeks from the date of receipt of a copy of this order and until such time, the respondent shall not proceed with the execution proceedings;

(vi) Subject to the result of RLTA No.93 of 2026, it shall be open to the executing Court to take up the execution petition from the present stage and dispose of the same expeditiously.

No costs. Consequently, connected miscellaneous petitions are closed.

02.09.2026

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Index:yes/no

Website:yes/no

Speaking Order/Non-speaking Order

To

- 1.The XV Additional City Civil Court, Chennai
2. The X Small Causes Court, Chennai

CRP No. 5954 of 2025