



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2026

CORAM

THE HON'BLE MR.JUSTICE P.B. BALAJI

**CRP No.3228 of 2026
& CMP.No.14086 of 2026**

Dhanapal

..Petitioner

Vs

A.Rangiah Chetty

..Respondent

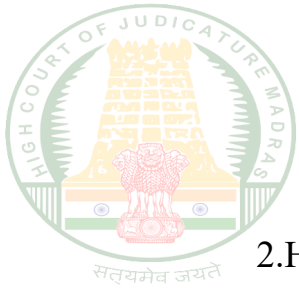
Prayer: Civil Revision petition filed under Article 227 of the Constitution of India, to set aside the order and decree dated 16.04.2026 in M.P.No.3 of 2025 in RLTOP.No.327 of 2024 on the file of the XI Judge, Court of Small Causes, Chennai and to permit the petitioner to let in oral and documentary evidence in the above RLTOP.

For Petitioner(s): Mr.A.Babu

For Respondent(s): Mrs.W.R.Subashini

ORDER

The petitioner is aggrieved by the dismissal of his application in M.P.No.3 of 2025, in and by which, the petitioner sought permission to lead evidence to establish that the petitioner's wife alone is a tenant in the tenanted premises under the respondent. The said application, on contest, has been dismissed by the Rent Court. The revision challenges the dismissal of the said application.

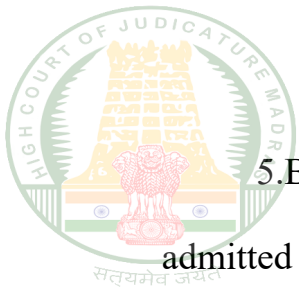


WEB COPY

2. Heard the learned counsel for the parties.

3. The learned counsel for the petitioner states that the petitioner never admitted jural relationship of landlord and tenant and in this regard, he took me through the counter statement filed in the RLTOP.No.327 of 2024. It is his further case that his father was the original tenant and after the demise of his father, the mother is continuing the business. However, as on date, it is the petitioner's wife, who has valid licenses in her name and is carrying on business on the tenanted premises. In order to establish the said factum, the petitioner wanted to lead evidence. The learned counsel for the petitioner further states that the Rent Court has unfortunately dismissed the application by misconstruing the pleadings filed by the petitioner.

4. The learned counsel for the respondent states that the petitioner has categorically admitted that the father was the tenant in the premises and that the petitioner was aged about nine years and he only claims as a legatee under the father and comes within the definition of 'tenant' under Section 2(n) of the TNRRRLT Act. She would therefore state that the petitioner steps into the shoes of the tenant, whether it was his father or mother and therefore cannot set up a plea the wife of the petitioner alone is a tenant.



5. Be that as it may, considering the fact that the petitioner has not admitted that there is any jural relationship of landlord and tenant, the Rent Court has certainly misconstrued the pleadings, especially the counter statement, where the petitioner has only extracted the averments set out in the RLTOP petition filed by the respondent. At the same time, his categorical case is that his wife is a tenant and not the petitioner.

6. In such circumstances, the respondent is given liberty to implead the petitioner's wife as respondent in the RLTOP.No.327 of 2024. The order in MP.No.3 of 2025 to lead evidence under Section 36(2) of the Indian Evidence Act is unnecessary, since the wife of the petitioner is now being impleaded as a respondent and even according to the petitioner, it is his wife, who is the tenant. The respondent is at liberty to proceed with the RLTOP, after impleading the wife. The RLTOP.No.327 of 2024 shall be decided, within a period of three months from the date of receipt of a copy of this order.

7. The Civil Revision Petition is dismissed with the above direction. No costs. Connected Civil Miscellaneous Petition is closed.

20.07.2026

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



WEB COPY



P.B.BALAJI, J.

ATA

To
The XI Judge, Court of Small Causes, Chennai.

CRP No.3228 of 2026

20.07.2026