

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Civil Revision Petition (PD) No.1846 of 2016

and

C.M.P.No.9704 of 2016

N.Krishnamoorthy
S/o.R.Rajagopal

... Petitioner

VS

Dr.A.Vikram
S/o.Dr.N.Ambalavanan

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India against the order of learned XV Judge, Court of Small Causes, Chennai, passed in M.P.No.135 of 2016 in R.C.O.P.No.1421 of 2013 on 07.04.2016.

For Petitioner : Mr.Christopher Vijay

ORDER

This revision arises against the order of learned XV Judge, Court of Small Causes, Chennai, passed in M.P.No.135 of 2016 in R.C.O.P.No.1421 of 2013 on 07.04.2016.

2. Respondent/landlord has moved R.C.O.P.No.1421 of 2013 on the file of Small Causes Court, Chennai, towards fixation of fair rent. In such petition, the respondent/landlord has moved M.P.No.135 of 2016 seeking reopening of petitioner's side evidence. On such petition being allowed, the petitioner/tenant is before this Court by way of revision.

3. Learned counsel for petitioner/tenant submits that the respondent/landlord, who had failed to elicit answers in respect of the specific undivided share and age of the building through cross-examination of petitioner witnesses, had sought to fill up the lacunae by marking further documents.

4. Strict rules of evidence are not applicable in proceedings before the Rent Controller. Further, the reopening of evidence towards marking documents in proof of the undivided share and age of the building would only aid a fair decision in the case.

The Civil Revision Petition, accordingly, is dismissed. No costs. Consequently, connected miscellaneous petition is closed. However, considering the fact that the proceedings are pending since 2013, this Court

directs learned XV Judge, Court of Small Causes, Chennai, to dispose of R.C.O.P.No.1421 of 2013 as expeditiously as possible.

27.06.2016

Index:yes/no

Internet:yes

gm

To

The XV Judge,
Court of Small Causes,
Chennai.

C.T.SELVAM, J

gm

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