

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2017

CORAM

THE HON'BLE MR. JUSTICE **D. KRISHNAKUMAR**

CRP.(PD).Nos.4617 to 4619 of 2017
and CMP.Nos.21738 to 21740 of 2017

M.V.Chandran	..Petitioner in
	CRP.(PD).No.4617/2017
V.Muthu Krishnan	..Petitioner in
	CRP.(PD).No.4618/2017
M.P.Abdul Khader	..Petitioner in
	CRP.(PD).No.4619/2017
Vs.	
K.Sasirekha (died)	
K.Premavathi	..Respondents in
	CRP.(PD).No.4617/2017
V.Kanniappan	..Respondent in
	CRP.(PD).No.4618/2017
K.Premavathi	..Respondent in
	CRP.(PD).No.4619/2017

PRAYER in CRP.(PD).No.4617 of 2017:

The Civil Revision Petition is filed under Article 227 of the Constitution of India against the fair order and decretal order dated 22.11.2017 in M.P.No.453 of 2017 in RCOP No.1288 of 2010 on the file of XVI Judge, Small Causes Court, Madras.

PRAYER in CRP.(PD).No.4618 of 2017:

The Civil Revision Petition is filed under Article 227 of the Constitution of India against the fair order and decreetal order dated 22.11.2017 in M.P.No.454 of 2017 in RCOP No.1289 of 2010 on the file of XVI Judge, Small Causes Court, Madras.

PRAYER in CRP.(PD).No.4619 of 2017:

The Civil Revision Petition is filed under Article 227 of the Constitution of India against the fair order and decreetal order dated 22.11.2017 in M.P.No.455 of 2017 in RCOP No.1290 of 2010 on the file of XVI Judge, Small Causes Court, Madras.

For petitioner : Mr.G.V.Sridharan
in all CRP's

COMMON ORDER

The respondents have filed petitions in RCOP.Nos.1289 to 1290 of 2010 against the revision petitioners for eviction. In the aforesaid petitions, the revision petitioners have filed miscellaneous petitions in MP.Nos.453 to 455 of 2017 to issue subpoena to the Assistant Commissioner, Zone XIII, Corporation of Chennai to personally depose evidence with respect to the petition premises. According to the revision petitioners, there is no landlord- tenant

relationship between the respondents and the revision petitioners. Therefore, they have filed the instant applications to prove that the properties belong to Corporation of Chennai. The trial court, after considering the contentions of both the parties, dismissed the said petitions stating that the Rent Control Authority cannot go into the question of title at this part-heard stage and the same will be consider only at the time of main RCOP's,. Against the said orders, the revision petitioners have filed the present Civil Revision Petitions before this Court.

2. On perusal of records, it is seen that the revision petitioners have filed the instant petitions to issue subpoena to the Assistant Commissioner to depose evidence with respect to the demised properties. The court below has dismissed the petitions by stating that the revision petitioners can very well establish their case that there is no landlord-tenant relationship between the revision petitioners and the respondents by adducing necessary oral and documentary evidence before the court at the time of trial. Now the RCOP's are at the part-heard stage. This Court is of the view that the court below has rightly dismissed the petitions with the above observations. Hence, there is no error or illegality in the orders passed by the court below.

3. The Civil Revision Petitions are dismissed with above observations. Consequently, the connected miscellaneous petitions are closed. No costs.

15.12.2017

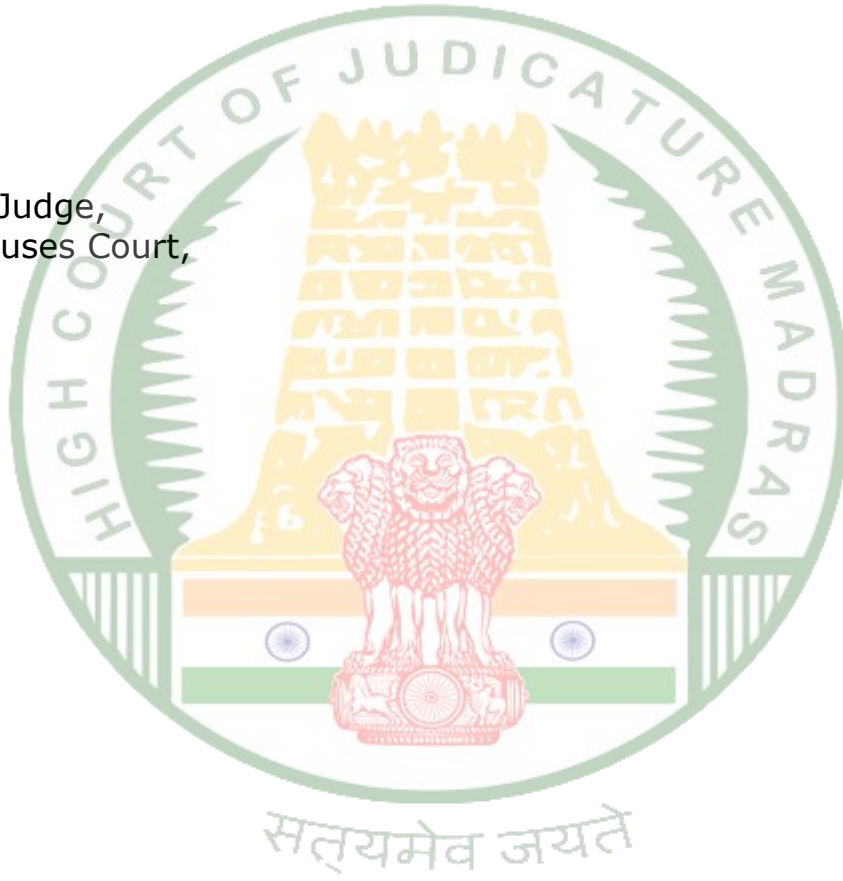
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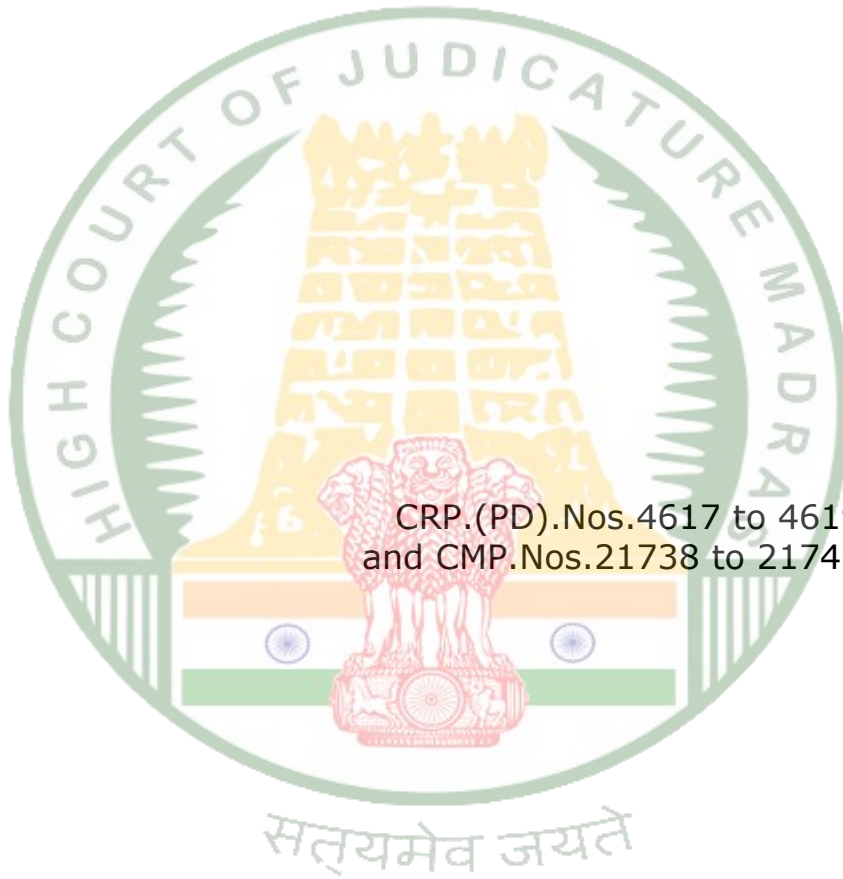
The XVI Judge,
Small Causes Court,
Chennai



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D.KRISHNAKUMAR.J,

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