

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2018

CORAM

THE HONOURABLE MR.JUSTICE M.S. RAMESH

C.R.P(PD) No.3454 & 3414 of 2018

and

CMP.No. 19349 of 2018

E.Rajasekar

...Petitioner in both C.R.Ps

Vs

E.Durairaj

..Respondent in both C.R.Ps

**Common Prayer:-** Civil Revision Petition filed under Article 227 of the Constitution of India, praying to set aside the order dated 04.09.2018 passed by the learned XI Small Causes Court, Chennai in M.P.Nos.138 & 139 of 2018 in RCOP.Nos.1482 & 1483 of 2016.

For Petitioner  
in both C.R.Ps

:Mr.P.Rajkumar Pandian

For Respondent  
in both C.R.Ps

:Mr.K.P.Chandrasekar

**COMMON ORDER**

In the rent control proceedings, the scope of the rent controller is only to determine the issue as to whether the landlord-tenant relationship has been established and other incidental matters arising there from. It is a settled proposition that the rent controller cannot determine the title of the parties to the rent control proceedings.

2. In this background, it seen that the petitioner herein intends to summon three witnesses including Executive Engineer & Administrative Officer of Tamil Nadu Housing Board, Anna Nagar Division to establish that the respondent/landlord has no title over the property.

3. In view of the well established proposition of law that the title of the demised premises cannot be gone into in rent control proceedings, the examination of these three witnesses may not be warranted. As such, I do not find any infirmity in the order passed by the rent controller in CMP.No.139 of 2018.

4. Accordingly these petitions stand dismissed. Consequently connected miscellaneous petition is closed. No Costs.

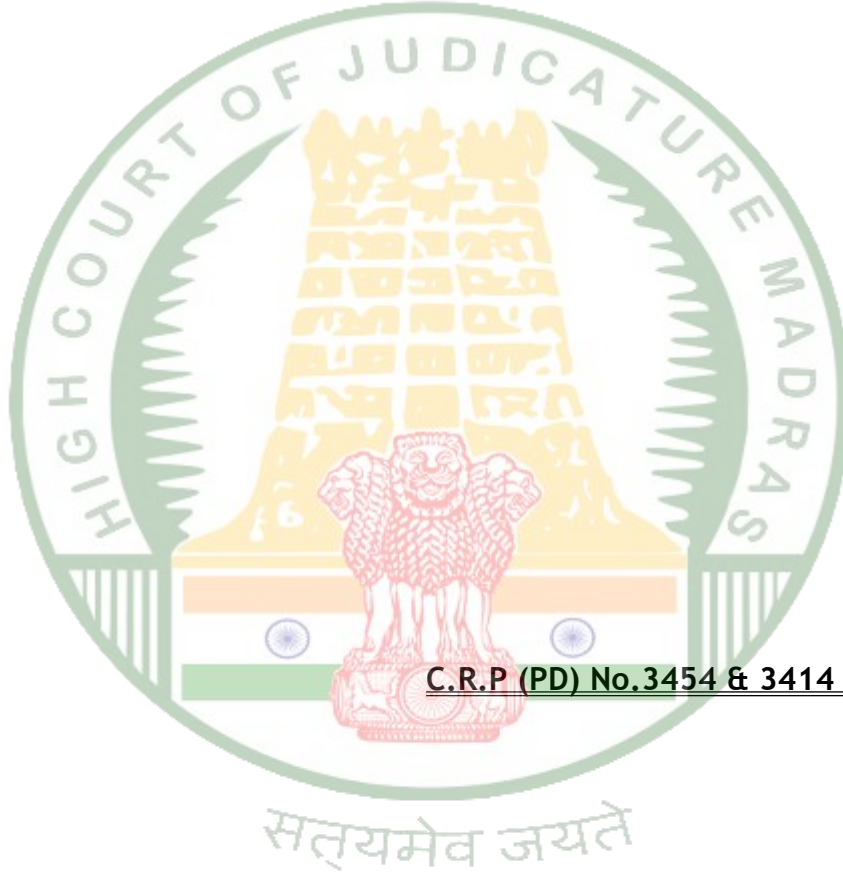
**10.12.2018**

Index : Yes/No

M.S. RAMESH.J.,

vsn/dh

To  
The learned XI Small Causes Court,  
Chennai.,



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