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C.R.P.(PD) No.1434 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2022

CORAM

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

C.R.P.(PD).No.1434 of 2022

Mr.Lalit Kumar

... Petitioner

Vs.

Krishna Baskar

... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India against the Order and Decree passed in M.P.SR.No.44661 of 2021 in R.L.T.O.P.No.284 of 2019 dated 09.12.2021 on the file of the XV Small Causes Court, Chennai as illegal, arbitrary and against the law.

For Petitioner : Mr.M.Sunil Kumar

ORDER

This Civil Revision Petition has been filed challenging the order of the learned XV Small Causes Court, Chennai, dated 09.12.2021 in M.P.SR.No.44661 of 2021 in R.L.T.O.P.No.284 of 2019

2. The petitioner is the tenant. The respondent is the landlord and he



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has filed an eviction petition in R.L.T.O.P.No.284 of 2019 on the allegation that there is no tenancy agreement entered into between the landlord and the tenant. During the course of the proceedings, the petitioner has filed the petition to cross examine the respondent and the said petition was rejected by the learned Judge of the Rent Court, by observing that the proceedings under the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017 is summary in nature and the object of speedy disposal of the matters cannot be defeated by granting an opportunity for cross-examination when it is not found to be necessary.

3. In the case in hand, the relationship between parties as landlord and tenant is admitted. It is not the contention of the petitioner that the tenancy agreement was entered into between the parties and the respondent has falsely stated that there is no such agreement. The one and only contention of the petitioner is that the respondent/landlord has filed similar such petitions against several tenants by taking advantage of the non-existence of the rental agreements. To establish these facts, the landlord need not be subjected to cross-examination. When there is no assertion made by the petitioner that there is a tenancy agreement was entered into between



the parties, contrary to the contention of the landlord, there is no scope for cross-examination.

4. The learned trial Judge has rightly exercised his discretion and chosen to reject the petition by rightly recording a finding that there is no scope for cross-examination in the given context of the matter.

5. In my considered view, I find no infirmity or illegality in the order passed by the learned XV Judge, Court of Small Causes, Chennai.

6. Hence, the Civil Revision Petition is dismissed and the Order and Decree passed in M.P.SR.No.44661 of 2021 in R.L.T.O.P.No.284 of 2019 dated 09.12.2021, on the file of the XV Small Causes Court, Chennai, is hereby confirmed. No Costs.

06.06.2022

Index : Yes/No
Speaking Order : Yes / No
ssn

R.N.MANJULA, J.,



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ssn

To

1. The XV Small Causes Court,
Chennai.
2. The Section Officer,
VR Section, Madras High Court,
Chennai.

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