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C.R.P.No.1410 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 27.4.2023**

**CORAM:**

**THE HONOURABLE DR.JUSTICE D.NAGARJUN**

**C.R.P.No.1410 of 2023**

T.Ashraf

. . . Petitioner

Versus

1.M.Saira Banu  
Rep.by her Power Agent  
M.Irshad Ahmed

2.M/s.Indo Fashion Garments,  
Rep.by its Partners, respondents 2 & 3

3.Abdul Rahman

. . . Respondents

**PRAYER** : Civil Revision Petition filed under Article 227 of Constitution of India to set aside the fair and decretal order dated 3.3.2023 passed in M.P.S.R.No.10436 of 2023 in R.L.T.O.P.No.595 of 2021 and further direct the learned X Small Causes Court Judge to reconsider the M.P.S.R.No.10436 of 2023 in R.L.T.O.P.No.595 of 2021 and permit the petitioner herein to adduce evidence in the above RLTOP.

For Petitioner : Mr.S.Azhagamperumal



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## **ORDER**

WEB COPY This revision petition is filed aggrieved by the order passed in M.P.S.R.No.10436 of 2023 in R.L.T.O.P.No.595 of 2021 on the file of the X Small Causes Court, Chennai, dated 3.3.2023.

2. According to the petitioner, he has moved the petition in M.P.S.R.No.10436 of 2023 to re-open the case for further evidence of the petitioner/tenant. However, that petition was returned at the threshold itself, without even numbering. Aggrieved by the same, he approached this Court seeking intervention.

3. It is submitted by the learned counsel for the petitioner that during the pendency of this revision petition, the trial Court has completed the enquiry in R.L.T.O.P.No.595 of 2021 and it came to be allowed as per the order dated 10.4.2023. Aggrieved by the said order, the petitioner/tenant is taking steps to prefer an appeal.

4. In view of the fact that the main R.L.T.O.P.No.595 of 2021, itself has already been disposed off, this petition to re-open R.L.T.O.P.No.595 of 2021 in the trial Court has become infructuous.



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5. This Civil Revision Petition is therefore dismissed as infructuous.

There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

6. However, liberty is given to the petitioner to move similar petition before the appellate Court.

**27.4.2023**

Index: Yes/No  
Speaking Order/Non-Speaking Order  
Neutral Citation Case : Yes/No  
ms

To

The Judge,  
X Small Causes Court,  
Chennai.



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**DR.D.NAGARJUN, J.,**  
ms

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