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C.R.P.No.4914 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2023

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

C.R.P.No.4914 of 2023 &
C.M.P.No.28944 of 2023

R.Muralidharan

... Petitioner

Vs.

M.Radhabai

... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India to set aside the judgment in RLTA.NO.89/2023 and decretal order dated 11.09.2023 passed by XX Additional District & Sessions City Civil Court, Chennai confirming the order dated 15.02.2023 passed by the XV Small Causes Court, Chennai.

For Petitioner

: Mr.S.Kumaran

ORDER

Challenging the order dated 11.09.2023 passed in RLTA.No.89 of 2023 by the learned XX Additional District & Sessions City Civil Judge, Chennai, confirming the order dated 15.02.2023 passed in RLTOP.No.422 of 2022 by the learned XV Small Causes Judge, Chennai, the petitioner who is



C.R.P.No.4914 of 2023

the respondent in RLTOP filed the present revision.

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2. Before the rent control tribunal, the landlord who is the respondent herein filed RLTOP.No.422 of 2022 against the tenant who is the petitioner herein for repossession of the tenanted premises on the ground of failure to enter into an agreement in writing as per Section 4(2) of the Act. The trial court considering the fact that the parties had admitted their relationship of landlord and tenant and also the respondent therein/tenant had made a clear admission that in between them there is no valid written tenancy agreement, allowed the said application in favour of the landlord/applicant and directed the tenant who is the revision petitioner to vacate and handover the vacant possession of the petition premises to the applicant within a period of one month from the date of the said order. Aggrieved over the same, the petitioner herein filed RLTA.No.89 of 2023 and the same was dismissed, confirming the order passed in RLTOP.No.422 of 2022. Challenging the same, this civil revision petition has been filed.

3. Admittedly, there is no valid written tenancy agreement between the parties, though they are admitting their relationship as tenant and landlord.



C.R.P.No.4914 of 2023

This Court do not find any infirmity in the order passed by the courts below.

However, the petitioner who is the tenant is residing at the petition premises.

4. Considering all the above, this civil revision petition is disposed of by directing the revision petitioner to vacate and handover the petition premises to the respondent/landlord within a period of three months from the date of receipt of a copy of this Order. No costs. Consequently, connected miscellaneous petition is closed.

21.12.2023

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Index : Yes/No

Speaking order/Non-speaking order

Neutral Citations : Yes/No



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C.R.P.No.4914 of 2023

To

- 1.The XX Additional District & Sessions City Civil Court, Chennai
- 2.The XV Small Causes Court, Chennai.



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C.R.P.No.4914 of 2023

T.V.THAMILSELVI,J.

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