



C.R.P. (PD) .No. 4010 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.10.2024

CORAM

THE HONOURABLE Mr. JUSTICE V.LAKSHMINARAYANAN

C.R.P.(PD).No. 4010 of 2024

&

C.M.P.No. 21989 of 2024

Prakash Galada

...Petitioner

Vs.

Shri Rajasthani Jain Samaj (Mambalam)

Represented by its Secretary

Dharmichand Singhvi,

No.131, (Old No.66), Ground Floor,

Sir Thyagaraja Road,

T.Nagar, Chennai – 600017.

...Respondent

Prayer: Petition is filed under Article 227 of the Constitution of India to set aside the order dated 03.04.2024 made in M.P.Sr.No.48821 of 2023 in RLTOP.No.721 of 2022 by the X Small Causes Court, Chennai.



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For Petitioner : Mr.Muruganantham

ORDER

The tenant is the civil revision petitioner.

2. R.L.T.O.P.No.721 of 2022 has been presented for eviction on the grounds of Section 21 (2) (a) of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017. In the said proceedings, the tenant filed an application in M.P.Sr.No.48821 of 2023 seeking for a direction to produce an agreement between the landlord and tenant dated 01.01.2012. The said application was dismissed. Hence, the Civil Revision Petition.

3. Heard Mr.Muruganandham for the civil revision petitioner.

4. Mr.Muruganandham would contend that the said document is essential for the purpose of cross examination of the landlord. A



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reading of the affidavit filed in support of the petition in M.P.Sr.No.48821 of 2023 would show that an agreement was entered into on 01.01.2012 and the said agreement expired in the year 2015. In paragraph no.5 of the affidavit the petitioner / tenant concedes that he has been permitted to continue to stay in the premises by oral arrangement for the past 7 years from February 2015. This shows that there is no agreement as required under Section 4 (2) of the Act, which is the only consideration for the Court while dealing with the RLTOP. The production of previous rental agreement is absolutely unnecessary for the purpose of the disposal of the present petition. I do not find any reason to interfere with the order of the Trial Judge.

5. Accordingly, the Civil Revision Petition is dismissed. Consequently, the connected miscellaneous petition is closed. No costs.

03.10.2024

Index : Yes/No
Internet : Yes/No
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The X Small Causes Court,
Chennai.



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V.LAKSHMINARAYANAN, J.

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