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CRP No.515 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-11-2025

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

CRP No. 515 of 2024

CMP No.2422 of 2024

Dr.Ashwin Mathew George,

... Petitioner

Vs.

K.R.a.Mohamed Ali, S/o K.R.Abdul Kaleem.

... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India to set aside the proceedings on 02.01.2024 and permit the petitioner to file his proof affidavit on record in RLOP No.365 of 203 on the file of the XIII Small Causes Judge cum Rent Court, Chennai.

For Petitioner(s): MR.K.F.Manavalan

For Respondent(s) Mr. S.Anandakumar

ORDER

This civil revision petition is filed, challenging the order passed by the Rent Court dated 02.01.2024 and to permit the petitioner to file proof affidavit on his part.



2. The respondent herein filed an eviction petition under Section 21(2)(a) of the Tamil Nadu Regulation and Rights and Responsibilities of Landlords and Tenants Act, 2017. In that petition, on 02.01.2024, the rent court has passed the following order.

“ Counsel for petitioner and respondent present. Respondent Present. Examined under Section 36 of the Act. For argument of both parties, adjourned to 09.01.2024.”

Aggrieved by the same, the present Civil Revision Petition is filed.

3. The learned counsel for the petitioner would submit that earlier, eviction proceedings were initiated against the petitioner under the Tamil Nadu Regulation and Rights and Responsibilities of Landlords and Tenants Act and a compromise agreement was entered into on 18.12.2018. As per the compromise, possession was handed over to the respondent herein. In order to substantiate the plea raised in the counter to the main O.P., the petitioner wanted to file his proof affidavit and the learned Rent Court, without allowing the petitioner to file affidavit, straight away posted the matter for argument.

4. The learned counsel for the respondent would submit that if the petitioner wants to file his proof affidavit with regard to examination of witnesses, if any, the respondent has no objection for the same.



5. In view of the consensus arrived between the counsel on either side, this court is inclined to dispose of the civil revision petition.

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6. The petitioner is permitted to file his proof affidavit before the Rent Court on the next date of hearing on 14.11.2025. If the respondent wants to examine him, it is for him to file appropriate application before the Rent Court.

7. With the above directions, this civil revision petition is disposed of. There shall be no order as to costs. Connected miscellaneous petition is closed.

07.11. 2025

Internet: yes

Index: Yes/No

Neutral citation: Yes/No

MST

To

The XIII Judge,
Court of Small Causes, Chennai.



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S.SOUNTHAR J.

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