



WEB COPY

CRP No. 689 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-07-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP No. 689 of 2025

and

CMP.No.3901 of 2025

1. C.P.Atchuthan

S/o. Kannan, New No.126, Old Door
No.109, Vepery High Road, Chennai -
600 007.

Petitioner

Vs

1. Md.Nayeeemur Rahman

S/o.Late Md.Fazlur Rahman, New Door
No.126, Old Door No.109, Second
Floor, Vepery High Road,
Chennai - 600 007.

2.Balakrishnan

New Door No.126, Old Door No.109,
Second Floor, Vepery High Road,
Cehnnai - 600 007.

Respondents

PRAYER

This Civil Revision Petition is filed under Article 227 of Constitution of India



praying, to set aside the docket order dt. 06.01.2025 made in IA No. (unnumbered) of 2025 in RLTOP.No.261/2024 and direct the learned Honble XI Small Causes Court at Chennai to number the application to adjudicate the same by allowing this revision petition.

For Petitioner(s): Mr.Sarath Chandran for
Mr.R.Thirumoorthy

ORDER

Heard Mr.Sarath Chandran, learned counsel for the petitioner.

2.The only grievance of the petitioner /tenant is that the Rent Court without even numbering the application taken out under section 36 has proceeded to reject the same.

3.The learned counsel for the petitioner would state that the application under Section 36(2) of the TNRRRLT Act seeking the right to examine himself ought not to have been dismissed without even the application being taken on board.

4.The Rent Court has given a finding that the tenancy is admitted during court examination pending the RLTOP, and therefore the petition is rejected as not maintainable. The Rent Court ought to have numbered the application after



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hearing the petitioner as well as the respondents and decided the application on merits. The process adopted by the Rent Court is not in line with the judgement of this Court in *J.Thennarasu Vs. Anita Nalliah* reported in *2022 SCC OnLine Mad 5939*.

5. In the light of the above, I am inclined to set aside the rejection of the miscellaneous petition, this Civil Revision Petition is allowed. The Rent Court shall number the application, and after permitting the respondent/landlord to file a counter in the said application, it shall be decided within a period of 4 weeks from the date of receipt of a copy of this order on merits in accordance with the law. Consequently, the connected miscellaneous petition is closed. No costs.

01-07-2025

jrs

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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1.The Judge,

XI Small Causes Court,
Chennai.

2.Md.Nayeeemur Rahman

S/o.Late Md.Fazlur Rahman, New Door
No.126, Old Door No.109, Second
Floor, Vepery High Road, Chennai -
600 007.

3.Balakrishnan

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P.B.BALAJI J.

jrs

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