

Civil Revision Petition No. 1499 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.04.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.R.P.PD.No.1499 of 2025
and C.M.P.No.8785 of 2025

1. Jainappu Sameema
 2. Fazila Begam
- Both represented by their Power of Attorney
Fazrul Rahman

... Petitioners

Vs

M/s.APARR Innoventures Pvt.United
Represented by its Directors,
1. Ritu Aiya
2. Subash Arya

... Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India praying to set aside the order passed by the learned XV Judge, Small Causes at Chennai in M.P.No.3 of 2024 in R.L.T.O.P.No.226 of 2024 dated 25.02.2025.

For Petitioner

: Mr.K.Shahul Hameed



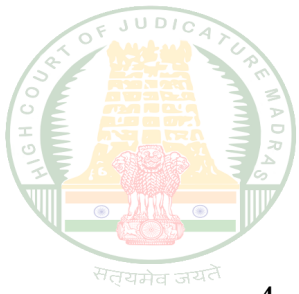
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ORDER

This Civil Revision Petition is filed seeking to set aside the order passed by the learned XV Judge, Small Causes at Chennai in M.P.No.3 of 2024 in R.L.T.O.P.No.226 of 2024 dated 25.02.2025.

2. The petitioners had filed R.L.O.P.No.226 of 2023 on the file of the learned XV Judge, Small Causes at Chennai seeking to vacate the respondent from the IV Floor Portion at No23, New Door Number 51, North Boag Road, T.Nagar, Chennai 600 017 measuring 1400 sq.ft. The eviction was sought on the ground that there was no written lease agreement. They would submit that there was no landlord-tenant relationship between the parties, as there was no tenancy agreement as contemplated under Section 4(2) of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017.

3. A counter affidavit was filed by the respondents. Besides raising other defenses, they had stated they are the tenant only under the Global Academy and there is no relationship of landlord and tenant between them and the petitioners. Therefore, they seek to have the petition rejected.

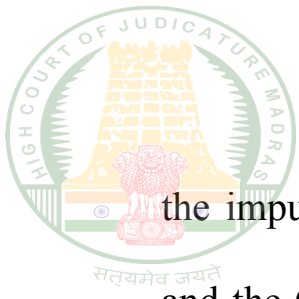


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4. Pending the proceedings, the respondents had taken out an application now impugned in this revision for a direction to cross examine P.W.1 in the R.L.O.P proceedings. The reasons for the same was on account of the fact that there was no written agreement between the respondents and the petitioners. In fact, the respondent is a tenant under Global Academy from whom they had taken the property on lease and therefore, the questions had be asked in this regard. The said application was resisted by the petitioners. Utimately, the application was allowed and it was observed that the cross examination of P.W1 would be subject to the extent of denial of jural relationship and to the extent of tenant setting up tenancy which the landlord denies. Challenging the same, the petitioners are before this Court.

5. Heard the learned counsel for the petitioners and perused the materials available on record.

6. The only argument that has been advanced is that the document under which the respondents who claims to be a tenant under one Global Academy had not been produced. However, a perusal of the paragraph 5 of



the impugned order would show that these documents have been produced and the Court has considered the same. It is well open to the petitioners to cross examine the witness or these documents. It is needless to state that the petitioners can make application for receipt of the copy of the agreement. On such application being made, the same shall be provided to the revision petitioners.

7. Accordingly, this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

09.04.2025

Index: Yes/No
Speaking order/non-speaking order
Neutral Citation: Yes/No
srn

To,

The learned XV Judge, Small Causes at Chennai



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P.T.ASHA, J.,

srn

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