



C.R.P.No.2004 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :03.06.2025

CORAM:

THE HON'BLE MR. JUSTICE P.B. BALAJI

C.R.P.No.2004 of 2025 and CMP No.11557 of 2025

Umed H.Thacker

.... Petitioner

vs

M/s The Roopchand Chabildas Charitable Trust,
Rep by its Chairman,
Old No.12, New No.25, West Madha Church Street,
Valmiki Nagar, Royapuram,
Chennai-600 013.

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India against the order dated 26.03.2025 passed by the learned Rent Controller, XII Small Causes Court, Chennai in M.P.No.2 of 2023 in R.L.T.O.P.No.228 of 2020.

For Petitioner

: Ms.A.Charumathy

ORDER

Heard the learned counsel for the petitioner.

2. The petitioner is the tenant under the respondent Trust. The petitioner challenges the order of the Rent Controller viz., XII Court of Small Causes, Chennai passed in M.P No.2 of 2023 in RLTOP No.228 of 2020, in and by which, the Rent Court has permitted the respondent/landlord to amend the petition bearing RLTOP No.228 of 2020.



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3. The Rent Court has found that the provisions of Section 3(c) or 3(d) of the Tamil Nadu Buildings (Lease and Rent Control) Act, 1960 would not apply to the facts of the instance case and the respondent/Trust is entitled to maintain RLTOP and therefore, proceeded to permit amendment of the petition in RLTOP No.228 of 2020.

4. Learned counsel for the petitioner would however, submits that the respondent Trust came to Court with a categorical case that they are a registered Trust, however, subsequently, they have turned around and claimed that the Trust is not a registered one and they are seeking to amend the petition in RLTOP. Learned counsel for the petitioner would further submit that the respondent Trust has also not filed the original Trust Deed and therefore, considering the pleas taken before this Court, maintainability of the petition itself is also doubtful.

5. However, I do not find such arguments presented before me affecting the merits of the defence that is available to the respondent Trust. The Rent Court has permitted the landlord only to amend the petition. It is always open to the revision petitioner to file an additional counter and also seeks permission to cross examine



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the respondent/landlord on the aspect of the validity of Trust Deed.

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6. Reserving such liberty to the revision petitioner, the civil revision petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

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Index: Yes/No
Website:yes/no
Speaking Order/Non-Speaking Order
sr

To

Rent Controller/XII Small Causes Court, Chennai



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P.B.BALAJI.,J.

Sr

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