



CRP Nos.2789 and 2790 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **13-08-2025**

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THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP Nos. 2789 and 2790 of 2025

and CMP Nos.15772 and 15776 of 2025

M.Kavitha

... Petitioner in both the revisions

Vs

1.G.Murali

2.Ambika Murali

Respondents

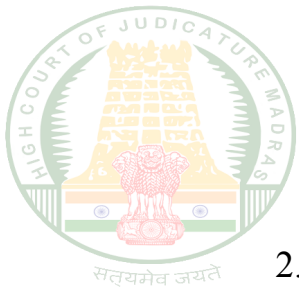
Revision filed under Article 227 of Constitution of India to set aside the fair and decretal order in MP No.2 of 2025 in RLTOP No.30 of 2021 dated 02.06.2025 on the file of District Munsif at Ambattur.

For Petitioner : Mr.D.S.Ramesh

For Respondents:Mr.G.Veerapathiran

COMMON ORDER

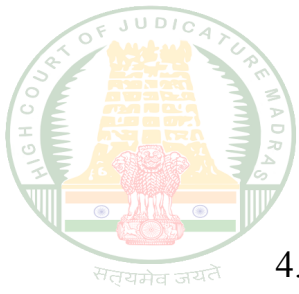
Heard the learned counsel for the petitioner and the learned counsel for the respondents.



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2. The revision petitioner is the tenant, aggrieved by the dismissal of the application in M.P.No.2 of 2025, in and by which, the petitioner/tenant sought for re-opening the evidence of P.W.1 and for further cross examination of P.W.1.

3. It is the specific case of the petitioner that the Rent Court had thought it fit to give an opportunity to the petitioner/tenant for cross examining the landlord and the case was listed for cross examination on 26.02.2025 and on the said day, P.W.1 was also cross examined in part and the matter was subsequently adjourned. On 27.03.2025, learned counsel for the petitioner was not able to be present before the Rent Court as he had matters to attend in High Court and by the time he was able to finish the matters in High Court, the cross examination of P.W.1 has been closed by the Rent Court and the case was posted on 02.04.2025 for defence evidence. Immediately, the petitioner/tenant has taken out applications for re-opening and recalling P.W.1. Learned counsel would therefore state that fair and reasonable opportunity ought to have been granted by the Rent Court to cross examine P.W.1.



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4. Per contra, learned counsel for the respondents state that the petitioner/tenant is in huge arrears of Rs.40,00,000/-(Rupees Forty Lakhs only) and even in the counter to the miscellaneous petitions seeking re-opening and recalling P.W.1, the respondent has clearly stated that they have no objection for an opportunity being granted to the petitioner/tenant to cross examine P.W.1. However, their only grievance was the petitioner/tenant has not paid even a single rupee towards rent and he seeks for a suitable direction for atleast payment of arrears to the respondents.

5. I have carefully considered the submissions made by the learned counsel on either side and also gone through the order passed by the Rent Court, dismissing the applications for reopening and recalling P.W.1.

6. The only ground on which the Rent Court has dismissed the applications is that the earlier opportunities granted were not not availed of by the petitioner/tenant. I find from the records that P.W.1 has been cross examined in part and subsequently, the Judicial Officer was also on casual leave on one of the hearing dates and on the date on which the evidence was closed, the petitioner was ready to cross examine P.W.1, but, however, in view of his being held up in the High Court, he could not be present before



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the Rent Court for cross examining P.W.1.

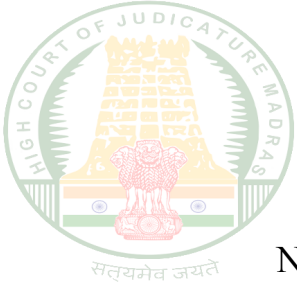
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7. Considering the fact that even the respondent has also fairly stated that an opportunity may be granted to the petitioner/tenant for cross examination of P.W.1, I am inclined to allow both the revisions with the following directions:-

(i) The petitioner/tenant shall ensure that cross examination of P.W.1 is completed on 22.08.2025.

No adjournment on any account shall be granted to the petitioner for cross examination of P.W.1 and on the said day, P.W.1 shall be present and cooperate for the cross examination to be concluded.

(ii) The respondents' witnesses shall be examined on or before 19.09.2025 and thereafter, the Rent Court shall hear the arguments of the parties and dispose of RLTOP No.30 of 2021 on merits and in accordance with law on or before 10.10.2025.



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No costs. Consequently, connected miscellaneous petitions are closed.

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

To

The District Munsif Court, Ambattur



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P.B.BALAJI,,J

SR

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