



WEB COPY

CRP No. 2876 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-07-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP No. 2876 of 2025

AND

CMP NO. 16222 OF 2025

M/s.SFABRICS India Pvt Ltd.,
Rep. by its Director Mr.S. Arumugam,
II Floor, Jaleel Mansion,
No.69, Eldams Road, Teynampet,
Chennai 600 018.

Petitioner(s)

Vs

PK Shahul Hammed,
S/o. Pothai Kani,
No.7, Bharathiyar Street, Saidapet,
Chennai 600 015.

Respondent(s)

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the order dated 26.06.2025 in M.P.1 of 2025 in RLTOP No. 543 of 2024 on the file of XI Judge Small Causes Court, Chennai.



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For Petitioner(s): Mr.J.Nandagopal

For Respondent Ms.Srividhya Aravindan

ORDER

The petitioner/tenant is on revision, challenging the dismissal of the application, seeking permission to cross examine the respondent/landlord in M.P.No.1 of 2025 in RLTOP No.543 of 2024 before the XI Small Causes Court, Chennai.

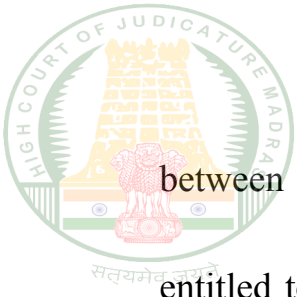
2. Heard the learned counsel for the petitioner as well as the learned counsel for the respondent and perused the materials available on record.

3. The case of the respondent/landlord is that the petitioner herein is a tenant under the respondent. The petitioner filed a petition under Section 21(2)(a) of the Tamil Nadu Regulation of Rights and Responsibilities of Landlord and Tenants Act 2017 (in short, “the Act”), for eviction, on the ground that there has been a failure to enter into tenancy agreement in terms of Section



4(2) of the Act. However, the said petition is contested by the respondent on the ground that there is no jural relationship between the landlord and tenant and the revision petitioner herein has only recognised one, Mr.P.James, as his landlord and according to the respondent, the said P.James has entered into a lease agreement with the petitioner in the year 2016 and therefore, the petitioner does not admit the right or entitlement of the respondent/landlord.

4. It is admitted that the tenancy agreement that has been last entered into with the petitioner is only by the said P.James. According to the learned counsel for the respondent, the said P.James is only an authorised agent of one Annamal, who is the original owner of the property. The learned counsel for the respondent also placed reliance on the admission made by the petitioner in the suit for permanent injunction filed before the City Civil Court, Chennai in O.S.No.1684 of 2024, where the petitioner admits that the said P.James is not the owner of the property and he came to know that the said Annamal alone is the owner. In order to invoke the provisions of the new Rent Act, the petitioner has to necessarily show the existence of the landlord and tenancy relationship



between the parties and, if the landlord is able to cross the bridge, then he is entitled to invoke the provisions of Section 21(2)(a) read with Section 4(2) of the Act.

5. In view of the fact that the lease agreement is only in the individual capacity of the said P.James and the revision petitioner, I deem it fit, to give an opportunity to the petitioner/tenant to cross examine the respondent to establish his contention that there is no jural relationship between the petitioner/tenant and the respondent/landlord. This is a fit case where the Rent Court to have exercised its power and permitted cross examination of the landlord. The Rent Court has misconstrued the defence of the petitioner and held that there is an admission of tenancy.

6. In view of the above, I am inclined to set aside the order dated 26.06.2025 in M.P.No.1 of 2025. The cross examination of the landlord shall be completed on or before 08.08.2025 and the RLTOP No.543 of 2024 shall be disposed of on or before 29.08.2025.



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7. This Civil Revision Petition is disposed of with the aforesaid

direction. No costs. Consequently, connected Miscellaneous Petition is closed.

10-07-2025

jd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

The XI Judge Small causes Court, Chennai.



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