



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.08.2025

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THE HONOURABLE MR JUSTICE P.B. BALAJI

C.R.P.No.4046 of 2025
and C.M.P.No.20934 of 2025

M/s.Shri Vaari Electricals Private Limited,
Rep.by its Director Mr.S.V.Sathyanarayan,
No.C-37, Thiru.Vi.Ka Industrial Estate,
Guindy, Chennai-600 032.

... Petitioner

Vs.

1.Anuradha
2.S.Thanusree
3.S.Ramyasree
4.D.S.Ramesh
5.D.S.Thulasiraman
6.D.S.Gopinath
7.D.S.Kavitha

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the docket order dated 27.06.2025 passed in SR.No.24047 of 2025 in R.L.T.O.P.No.525 of 2024 on the file of XIV



Small Causes Court, Chennai, and consequently, direct the Rent Court to number Section 9(4) application of TNRRRLT Rules, 2019 and decide the same on merits.

For Petitioner : Mr.B.Vasanthan

ORDER

The tenant is the revision petitioner. The revision petitioner challenges a docket order refusing to number an application filed under 21(2)(a) of Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017, on the ground that the said application is not maintainable.

2. It is the specific case of the revision petitioner/tenant that what was leased out by late D.S.Srinivasan, under whom the petitioner claims is only a vacant land and the warehouse has been constructed by the revision petitioner. Only in order to establish the same, the petition to examine the valuer has been taken out. However, the Rent Court has dismissed the said application stating that the said application is not maintainable, since the eviction petition has been filed only on the ground of failure to enter into tenancy agreement under Section 21(2)(a) of the Act.



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3. The learned counsel appearing for the petitioner states that though he had originally entered into the property as a tenant of the land alone, under late D.S.Srinivasan, the present R.L.T.O.P.No.525 of 2024 has been filed by the legal representatives of the late D.S.Srinivasan and now third parties are claiming rents from the revision petitioner and only for such purpose, the application was necessitated.

4. I am unable to countenance the submission made by the learned counsel appearing for the revision petitioner requiring appointment of a valuer to assess the physical features and the age and value of warehouse, which is not going to establish the defence that has been taken by the revision petitioner with regard to construction of warehouse by the revision petitioner/tenant, that what was leased out originally was only the land and not the building. A specific contention regarding the ownership of the superstructure has already been taken in the counter, but now there are also new rival claims made against the revision petitioner. Hence, I am inclined to give an opportunity to the revision petitioner to cross-examine the landlord, which is not as a matter of right in view of legal position settled in



the case of *J.Thennarasu vs. Anita Nallaiah in C.R.P.(PD).No.2532 of*

2021 etc., Therefore, while dismissing the revision petition, it is made clear

that the revision petitioner shall be afforded an opportunity to cross-examine the landlord to establish his contention in the counter statement.

The said R.L.T.O.P.No.525 of 2024 shall be disposed of within a period of three months from the date of receipt of a copy of this order.

5. Accordingly, this Civil Revision Petition is disposed of. There shall be no order as to costs. Connected miscellaneous petition is closed.

26.08.2025

Speaking Order/Non-speaking Order

Index : Yes / No

Neutral Citation : Yes/No

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To

The XIV Small Causes Court, Chennai.



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P.B. BALAJI,J.

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