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CRP No. 2972 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-08-2025

CORAM

THE HONOURABLE MR JUSTICE P. VELMURUGAN

CRP No. 2972 of 2025

1. M/s.HASNAIN SYNDICATE

A Partnership Firm,

rep. by its Partners,

carrying on business at Old D.No.52,

New D.No.76, Sembudoss Street,

Chennai - 001.

2.Bakkir M. Raja

Partner, M/s. Hasnain Syndicate,

carrying on business at Old D.No.52,

New D.No.76, Sembudoss Street,

Chennai - 001.

3.M. Raja

Partner, M/s. Hasnain Syndicate,

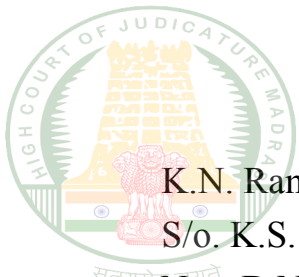
carrying on business at Old D.No.52,

New D.No.76, Sembudoss Street,

Chennai - 001.

Petitioner(s)

Vs



K.N. Ramesh
S/o. K.S. Nityanandan,
New D.No.38/48, Old D.No.70,
Salai Vinayagar Koil Street,
Chennai - 001.

Respondent(s)

PRAYER This Civil Revision Petition is filed under Section 25 of the Tamil Nadu Buildings Lease & Rent Control Act, (as amended by Act 23 of 1973 and by Act 1 of 1980, to set aside the fair and decreetal order dated 10-08-2023 passed in RCA.No.517 of 2016 by the learned VIII Court of Small Causes Court, Chennai (Rent Control Appellate Authority) modifying the fair and decreetal order passed in RCOP.No.2132 of 2013 dated 30-03-2016 by the learned XVI Judge, Small Causes Court, Chennai(Rent Control).

For Petitioners: Mr.Padmaja Mohan

For Respondent: Mr.R.Vishnu

ORDER

This Civil Revision Petition has been filed to set aside the fair and decreetal order dated 10-08-2023 passed in RCA.No.517 of 2016 by the VIII Court of Small Causes, Chennai (Rent Control Appellate Authority) modifying the fair and decreetal order passed in RCOP.No.2132 of 2013 dated 30-03-2016 by the learned XVI Judge, Small Causes Court, Chennai(Rent Controller).



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2. The learned counsel for the petitioners/tenants submitted that the respondent herein filed RCOP No.2132 of 2013 before the XVI Court of Small Causes, Chennai, for fixation of fair rent for the petition premises. The learned Rent Control Authority vide order dated 30.03.2016, allowed the said petition. The learned Rent Control Authority while disposing the said petition, failed to consider the certified copy of the sale deed, dated 07.10.2011 filed by the petitioners herein, which was marked as Ex.R3 and considered only Ex.P4,-the certified copy of sale deed dated 25.11.1974 filed by the respondent herein, which is not in the same street where the disputed property is situated. Aggrieved by the order of the Rent Control Authority, the petitioners/tenants have filed an appeal in RCA No.517 of 2016 before the VIII Court of Small Causes, Chennai. The Rent Control Appellate Authority failed to interfere with the order passed by the Rent Control Authority regarding the value of the property and modified the extent of the fair rent of the property vide order dated 10.08.2023. The Rent Control Authority and also the Appellate Authority have not considered the certified copy of the sale deed dated 07.10.2011/ Ex.R3, while fixing the value of the property and fair rent. Hence, challenging the



orders passed by the Rent Control Authorities, the petitioners/ tenants have filed this civil revision petition.

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3. Though the summons were served on the respondent/landlord and his name being printed in the cause list, none appeared on behalf of the respondent.

4. Heard the learned counsel for the petitioner and perused the materials available on record.

5. The respondent is the landlord and the petitioners are the tenants of the petition premises. The respondent/landlord filed RCOP No.2132 of 2013, under Section 4 of Tamil Nadu Buildings (Lease and Rent) Control Act, before the XVI Court of Small Causes, Chennai, for fixation of fair rent for the petition premises. The learned XVI Judge fixed the fair rent for the premises, vide order dated 30-03-2016. Aggrieved by the same, the petitioners have filed RCA No.517 of 2016 on the file of the VIII Judge, Court of Small Causes, Chennai. The learned VIII Judge, vide order dated 10-08-2023, modified the fair and decretal order passed in RCOP No.2132 of 2013. Aggrieved by the same, the petitioners/tenants have filed this civil revision petition.



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6. The only ground raised by the petitioners is that the learned XVI Judge, instead of considering the sale deed Ex.R3 filed by the revision petitioners, had erroneously considered the sale deed- Ex.P4 filed by the respondent, while fixing the market value of the property, in order to arrive at a fair rent. A reading of the order passed by the Rent Control Authority and also the Appellate Authority, it is clear that they have given the reasons for accepting Ex.P4 and also for rejecting Ex.R3. The petitioners have also not produced any guideline value as fixed by the Registration Department.

7. On a reading of the evidence of both the parties and the oral and documentary evidence, both the fact finding Authorities have assigned the reasons for arriving/fixing the fair rent. This Court, as a revisional Court, has got only limited scope of interfering with the impugned order, unless there is perversity in the orders. The petitioner has not substantiated any valid ground to set aside the impugned order.



8. Considering the above facts and circumstances, this Court does not find any merit in the revision petition and the revision petition is liable to be dismissed. Accordingly, the civil revision petition is dismissed. There shall be no order as to costs.

9. In view of the dismissal of this civil revision petition, order of interim stay granted by this Court on 17.07.2025 ceases to operate.

28-08-2025

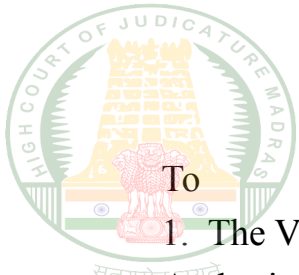
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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

1. The VIII Judge, Small Causes Court, Chennai (Rent Control Appellate Authority)

2. The XVI Judge, Small Causes Court, Chennai (Rent Controller).



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P.VELMURUGAN J.

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