



C.R.P.No.5319 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.5319 of 2025
and
C.M.P.No.26776 of 2025

M.Srinivasan

... Petitioner

vs.

Ennuru Illavari Dharma Balijakula Trustees,

Rep. by its Trustees

1.J.Subbayya

2.M.A.Varadharajan

3.M.G.Jayaraman

4.K.Ramadoss

5.L.Subramaniam

All are residing at No.157, Kavarai Street, Muthiyalpettai,

Walajabad Taluk, Kancheepuram District.

... Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the order and Decreetal Order dated 18.08.2025 passed in M.P.No.1 of 2024 in R.L.T.O.P.No.17 of 2024, on the file of the learned Rent Court/Principal District Munsif at Kancheepuram.

For Petitioner : Mr.V.Sairam

For Respondents : Mr.M.Murali



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C.R.P.No.5319 of 2025

ORDER

The Civil Revision Petition is filed challenging the order passed by the Rent Court/Principal District Munsif, Kancheepuram in M.P.No.1 of 2024 in R.L.T.O.P.No.17 of 2024, dated 18.08.2025 dismissing the application filed by the petitioner/tenant seeking rejection of the original petition filed by the respondents seeking repossession.

2. The respondents herein filed a petition in R.L.T.O.P.No.17 of 2024 for repossession under Sections 21(2)(a), 21(2)(b) and Section 23 of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017. The petitioner was the sole respondent/tenant in the said petition. In the said main original petition, the instant application seeking rejection of the original petition was filed by the petitioner by invoking Order VII Rule 11 (d) of the Civil Procedure Code. The said petition was dismissed by the Rent Court. Aggrieved by the same, the petitioner has come before this Court.



3. The learned counsel appearing for the petitioner would submit that the petitioner and respondents failed to enter into any written agreement after coming into force of New Act and therefore, the original petition filed by the respondents seeking repossession under the New Act is not at all maintainable.

4. The Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017, is a special enactment providing special procedure by the Rent Court constituted under the said Act. Section 36 of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017, provides that Rent Court and Rent Tribunals constituted under the Act shall not be bound by the procedure laid down by the Code of Civil Procedure, 1908, but shall be guided by the principles of natural justice and shall have power to regulate their own procedure.

5. Section 37 of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017 says certain provisions of Code of Civil Procedure applicable to the Rent Court and Rent Tribunal. The same reads as follows:-

“37. Powers of Rent Court and Rent Tribunal.-(1) The



Rent Court and the Rent Tribunal, for the purpose of discharging their functions under this Act, shall have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 for the purposes of,–

- (a) summoning and enforcing the attendance of any person and examining him on oath;*
- (b) requiring the discovery and production of documents;*
- (c) issuing commissions for examination of the witnesses or documents;*
- (d) issuing commission for local investigation;*
- (e) receiving evidence on affidavits;*
- (f) dismissing an application or appeal for default or deciding it ex parte;*
- (g) setting aside any order of dismissal of any application or appeal for default or any other order passed by it ex parte;*
- (h) execution of its order and decisions under this Act without reference to any civil court;*
- (i) reviewing its orders and decisions;*
- (j) any other matter as may be prescribed.*

(2) Any proceedings before the Rent Court or Rent Tribunal shall be deemed to be a judicial proceedings within the meaning of section 193 and 228, and for the purpose of section 196, of the Indian Penal Code 1860 and the Rent Court and the Rent Tribunal shall be deemed to be a civil court for



the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973.

(3) For the purpose of holding any inquiry or discharging any duty under this Act, the Rent Court may –

(a) after giving not less than twenty-four hours notice in writing, enter

and inspect or authorize any officer, subordinate to him, to enter and inspect, any premises at any time between sunrise and sunset;

(b) by written order, require any person to produce for his inspection such books or documents relevant to the inquiry, at such time and at such place as may be specified in the order.

(4) The Rent Court may, if it thinks fit, appoint one or more persons having special knowledge of the matter under consideration as an assessor or valuer to advise it in the proceeding before it.

(5) Any clerical or arithmetical mistake in any order passed by the Rent Court or any other error arising out of any accidental omission may, at any time, be corrected by the Rent Court on an application received by it in this behalf from any of the parties or otherwise.

(6) The Rent Court may exercise the powers of a Judicial Magistrate of First Class for the recovery of the fine under the provisions of the Code of Criminal Procedure, 1973 and the Rent Court shall be deemed to be a Magistrate under the said Code for the purposes of such recovery.



(7) An order made by a Rent Court or an order passed in appeal or revision, or review under this Chapter shall be executable by the Rent Court as a decree of a civil court and for this purpose, the Rent Court shall have the powers of a civil court.

(8) The Rent Court may set aside any order passed ex-parte if the aggrieved party files an application and satisfies it that notice was not duly served or that he was prevented by any sufficient cause from appearing when the case was called for hearing.

(9) Save as otherwise expressly provided in this Act, every order made by the Rent Court shall, subject to decision in appeal, be final and shall not be called in question in any original suit, application or execution proceedings.”

6. A combined reading of Sections 36 and 37 of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017 would make it clear that Order VII Rule 11 of the Code of Civil Procedure is not at all applicable to the proceedings initiated before the Rent Court under the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017. Since there is no specific provision for rejection of the main original petition, the petition filed by the revision petitioner before the Rent Court is not at all maintainable. Therefore, this



C.R.P.No.5319 of 2025

Court is not inclined to interfere with the order passed by the learned Rent Court in M.P.No.1 of 2024 in R.L.T.O.P.No.17 of 2024, dated 18.08.2025.

7. However, it is open to the petitioner to raise all the objections raised in this civil revision petition including the maintainability of the original petition before the Rent Court at the time of final disposal.

8. Accordingly, the Civil Revision Petition is dismissed. No costs. Consequently, the connected civil miscellaneous petition is closed.

08.12.2025

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
dm

To

The Rent Court/Principal District Munsif,
Kancheepuram.



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C.R.P.No.5319 of 2025

S.SOUNTHAR, J.

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C.R.P.No.5319 of 2025

08.12.2025