



WEB COPY

CRP No.5218 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31-10-2025

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

**CRP No. 5218 of 2025 and
CMP No.26289 of 2025**

R.Srinivasan

S/o. Radhakrishnan, Proprietor. R.S.V.

Electricals, No.9, Manali Salai,

Moopanar Nagar, Korukkupet,

Chennai-600 021.

Petitioner(s)

Vs

P.Selvaraj,S/o. late Ponnusamy Nadar,

Door No.2/23, Solaiappan Street,

Old washermenpet, Chennai-600 021.

Respondent(s)

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India to set aside the common order and decreetal order dated 09.10.2025 made in M.P. No. 2 of 2025 in RLTOP No. 410 of 2024 on the file of the XV Small Causes Court, Chennai

For Petitioner(s): Mr. B.Karthik



ORDER

This civil revision petition is filed, challenging the order passed by the Rent Court, dismissing the application filed by the petitioner/ tenant, seeking permission to cross examine the landlord.

2. It is seen from the typed set of papers that the respondent filed a petition for re-possession of the property under Section 21(2)(a) of the Tamil Nadu Regulation of Rights and Responsibilities of the Landlord and Tenant Act 2017. It is the specific case of the landlord/respondent that the petitioner's father was a tenant under him and after death of petitioner's father, the petitioner is continuing as a tenant by paying rent. After coming into force the New Act, the petitioner failed to enter into the Rental Agreement. Citing the above ground, the respondent filed a petition seeking repossession. The petitioner filed counter affidavit, wherein, he clearly admitted that his father had been paid monthly rent to the respondent till 01.11.2009. Therefore, there is a clear admission taken by the petitioner that there was a tenancy agreement earlier.

3. Now, the present application has been filed by the petitioner seeking opportunity to cross examine the landlord, on the ground that the respondent has no title over the demised property.



4. In order to maintain the petition for re-possession, landlord need not be the owner of the premises. If he is able to prove that there was a tenancy arrangement and he is the landlord within the meaning of the definition section of relevant Act, that is sufficient. In the case on hand, the petitioner clearly admitted that there was a tenancy agreement and his father was paying rent to the respondent. Now the only dispute to be decided in this case is whether the petitioner failed to enter into the rental arrangement, as per the New Act or not. To prove the same, oral evidence is not at all required as held by this court in its decision in ***J.Thennarasu Vs. Anita Nalliah in CRP (PD) No.2532 of 2021, dated 05.08.2022.*** Following the said decision, the Rent Court rightly dismissed the application filed by the petitioner. Therefore, I do not find any illegality or irregularity in the order passed by the Rent Court.

5. Accordingly, this civil revision petition is dismissed. Connected miscellaneous petition is closed. There shall be no order as to costs.

31-10-2025

Internet: yes

Index: Yes/No

Neutral citation: Yes/No

MST

To

The XV Judge, Court of Small Causes,
Chennai.



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S.SOUNTHAR J.

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