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CRP.No.6501 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-12-2025

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

**CRP No. 6501 of 2025 and
CMP No.32088 of 2025**

S.T.Sangeetha,
Wife of J.Reetus, No.1A, Canal Bank
Road, 1st Floor, Kasturi Bai Nagar,
Adyar, Chennai -600 020.

Petitioner(s)

Vs

A.Dharmaraj,
Son of Ayyappan, No.368-B, 5th Cross
Street, Kabaleeshwarar Nagar,
Neelangarai, Chennai -600 115.

Respondent(s)

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India to praying to call for the records pertaining to Judgment and Decree dated 19.11.2025 made in M.P.No.1 of 2025 in R.L.T.O.P.No.194 of 2025 pending on the file of X Judge, (FAC), Court of Small Causes, Chennai, and set aside the same.

For Petitioner(s): Mr.V.Karthikeyan

For Respondent(s): Mr. P.Suresh Babu

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ORDER

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This Civil Revision Petition is filed, challenging the order passed by the rent court, dismissing the application filed by the petitioner seeking right of cross examination under Section 36(2) of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017.

2. The respondent herein filed petition in RLTOP No.194 of 2025 under Section 21(2)(a) of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017. It is the case of the respondent that the petitioner failed to enter into rental agreement under the provisions of above said new Act and therefore, he has sought for repossession. The petitioner herein filed counter and resisted the above said main OP.

3. When enquiry in the main OP was commenced, the petitioner/ tenant filed the instant application seeking cross examination of the respondent/landlord and the same was dismissed by the Rent Court. Aggrieved by the same, the petitioner has come before this court.



4. The learned counsel for the petitioner would submit that the respondent, in the body of the main OP referred about the default committed by the petitioner. Therefore, the petitioner should be given an opportunity to cross examine the respondent/landlord.

5. The respondent filed the main OP seeking repossession on the ground that the petitioner failed to enter into the rental agreement as per the provisions of the new Act. In such circumstances, if the agreement is available, the petitioner can produce the same before the rent court. If it is not available, no purpose will be served by permitting the petitioner to cross examine the respondent. Therefore, the rent court rightly came to the conclusion that cross examination of respondent/landlord is not all necessary in this case, having regard to the fact that the respondent/landlord sought for repossession of the property under Section 21(2)(a) of the New Act. In this regard, the useful reference may be had to decision *in J.Thennarasu Vs. Anita Nalliah in CRP (PD) No.2532 of 2021 dated 05.08.2022* reported in *2022 SCC Online Madras 5939*. In view of the above, I do not find any error in the impugned order passed by the court below.



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

7. At this juncture, the learned counsel for the petitioner submitted that the petitioner may be permitted to argue on the maintainability of the main OP, in the absence of any rental agreement. It is always open to the petitioner to raise such legal issues before the Rent Court, at the time of arguments.

17.12.2025

Internet : Yes

Index : Yes / No

Neutral Citation: Yes/No

MST

To

The X Judge (FAC),
Court of Small Causes, Chennai.



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S.SOUNTHAR, J.

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