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CRP.No.200 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2026

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

CRP.No.200 of 2026 and
CMP.Nos.823 of 2026

D.Suresh Jain

... Petitioner

Vs.

1.Vinod R.Doshi
2.Beena N.Doshi
3.Ravilal S.Doshi (HUF)
Represented by his Karta Vinod R.Doshi,
All are residing at,
No.22/53, Rukmani Road,
Kalakshetra Colony,
Besant Nagar,
Chennai – 600 090.

...Respondents

PRAYER :Civil Revision Petition is filed under Article 227 of Constitution of India, praying to set aside the order and decretal order dated 15.12.2025 in Tr.O.P.No.138 of 2025 in RLTOP.No.326 of 2025, passed by the Principal Judge, City Civil Court, Chennai.

For Petitioner : Mr.T.Karunakaran

For Respondents :M/s.C.Uma



ORDER

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This Civil Revision Petition is filed challenging the order passed by the Principal Judge, City Civil Court, Chennai, dismissing the application filed by the petitioner seeking transfer of RLTOP.No.326 of 2025 pending on the file of the file of any other Court Small Causes, Chennai.

2. The respondents herein filed a petition for repossession under Tamil Nadu Regulations of Rights and Responsibilities of Landlord and Tenant Act, 2017, the said petition was resisted by the petitioner on the ground that he was not tenant under the respondents. It was the further case of the petitioner that as per lease deed dated 01.03.2022, one M/s.Kesar Gift Mart (P) Limited is the tenant under the respondent and the said company has not been arrayed as party respondent in petition for repossession and therefore, the petition filed by the respondent without impleading the original tenant was not sustainable.

3. The petitioner herein in the petition seeking transfer of the RLTOP stated that inspite of the plea raised by the petitioner in his counter to the main original petition, the respondent failed to implead the tenant and filed rejoinder.



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The Rent Court without following procedure laid under Section 36(3) of TNRRRLT Act examined the first respondent after receipt of rejoinder.

Thereafter, the matter was posted on 24.10.2025 for certain clarification and following order was passed.

“Respondent counsel present. Petitioner counsel present.

On perusal of case records it is found that this Court has, found that the cause title of the respondent is not proper as there is no mention of the company for which he is the managing director. However, petitioner counsel stated that the numbering authority had asked them to make such retification. Respondent counsel stated that as the petitioner had already missed the bus, he cannot make any corrections and he will file a counter in that regard. But this, Court in the interest of justice is empowered to clarify as to facts on record at any stage of case for an effective and adjudication, and has acted only within the ambit of law, equity and natural justice. Hence, for further proceeding call on 31.10.2025”

Aggrieved by the observation made by the Rent Court in its docket order dated 24.10.2025, the petitioner filed instant transfer application seeking transfer of the proceedings to some other Court and the transfer

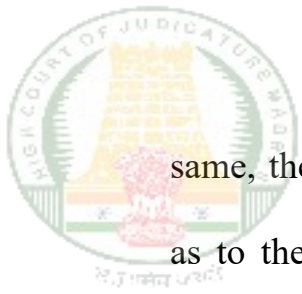


application was dismissed by the impugned order. Challenging the same, the petitioner has come before this Court.

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4. The learned counsel appearing for the petitioner would vehemently contend that after completion of the pleading, the Rent Court is expected to fix a date of hearing and hold summary enquiry as it deems necessary. However, in the case on hand, the Rent Court failed to follow the said procedure. The learned counsel further submitted that the observations made by the Rent Court by order dated 24.10.2025 would cause prejudice to the petitioner and hence the proceedings shall be transferred to some other Court.

5. It is not disputed that the respondent herein filed an amendment application seeking to include M/s.Kesar Gift Mart (P) Limited as a party respondent in the main original petition and the said application was filed on 29.10.2025. When the said application was posted for filing of counter, the learned counsel for the petitioner made a representation before the Rent Court that the respondents could not file petition for amendment as they failed to implead the necessary party immediately after filing of counter by the petitioner. He also sought time for filing of counter. While recording the



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same, the trial Court made certain observations regarding its power to clarify as to the facts on record at any stage of the proceedings and adjourned the matter to 31.10.2025. The said order is also challenged before this Court in CRP.No.203 of 2026 and the same was dismissed with certain clarifications. The observation made by the trial Court dated 24.10.2025 cannot be the ground for seeking transfer. The petition for amendment filed by the respondents is still pending and the petitioner is said to have filed his counter opposing the same. If any adverse order is passed in the petition for amendment, it is always open to the petitioner to challenge the same in the manner known to law. This Court, in the connected Civil Revision Petition directed Rent Court to dispose of the amendment application without reference to observation made by it in its order dated 24.10.2025.

6. Mere expression of any *prima facie* opinion by the Rent Court during the course of hearing will not give a cause of action for the petitioner to seek transfer. Even assuming some adverse interim order has passed, the same cannot be the ground for transfer of the original proceedings. The party aggrieved by the interim order can very well challenge the same in the manner known to law. In the case on hand, no final orders have been passed in the



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amendment application. In these circumstances, the petitioner has not made out any case for transfer of the original petition. If the petitioner is aggrieved by adverse orders of Rent Court, he is entitled to challenge the order passed against him and the same cannot be a ground for seeking transfer of the original proceedings.

7. I do not find any error in the impugned order, accordingly, this Civil Revision Petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

19.01.2026

Index : Yes / No
Internet : Yes / No
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To

The Principal Judge, City Civil Court,
Chennai.



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S.SOUNTHAR, J.

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