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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-02-2026

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THE HON'BLE MR.JUSTICE S. SOUNTHAR

**REV.APPL No. 54 of 2026 and
CMP.No.3464 of 2026**

K.Dhananjayan

..Petitioner(s)

Vs

Church of Word
Rep. by its Pastor Mr. John Venkatesan,
S/o. Late Sankarapandian,
D.No. 158,
Strahans Road,
Chennai-600010.

..Respondent(s)

Prayer:- Review Application is filed under Article 227 of the Constitution of India r/w Order XLVII Rule 1 of CPC, 1908 r/w 114 of CPC , praying to review its order dated 06.01.2026 passed in CRP No.5553/2025.

For Petitioner(s): M/s.V. Chandrakanthan

ORDER

The present application has been filed seeking to review the order passed by this court in CRP.No.5553 of 2025.

2. The petitioner herein filed original petition seeking repossession against the respondent under the provisions of TNRRRLT Act. The respondent herein, who was arrayed as respondent in the main OP, filed an application seeking rejection of the OP on the ground that the petitioner leased out only



vacant site and no building was leased out to the respondent and in such circumstances, the OP for repossession was not maintainable before the Rent Court. The said petition was dismissed by the Rent Court and aggrieved by the same, the revision was filed before this Court. After hearing both the parties based on the averments found in the OP and also documents filed along with the OP, this Court came to the conclusion that only vacant site was leased out to the respondent and hence, the petition for repossession was not maintainable under TNRRRLT Act. Aggrieved by the same, the present review application has been filed by the petitioner/respondent in revision.

3. The learned counsel for the petitioner submitted that at the time of arguments, he relied on the order passed in CRP.Nos. 976 & 977 of 2020, CRP.No.3299 of 2025 dated 23.09.2025 and order passed in CDJ 2022 MHC 674 and the same have not been referred to in the order passed in revision.

4. A perusal of the order passed in revision would indicate that the order relied on by the learned counsel for the petitioner in CRP.Nos. 976 & 977 of 2020 has been referred to in Paragraph No. 5. After referring to the judgment, this Court has given its reasons at Paragraph No. 10. The learned counsel for the petitioner relied on the above mentioned case laws only for the purpose there is no provision available in TNRRRLT Act akin to Order VII of CPC. Therefore, the OP cannot be rejected without enquiry. However, the absence of enabling provision under the Act would not deter this Court from exercising its power under Article 227 of the Constitution of India when the undisputed facts are



starring at the face. In Paragraph No. 10 of the order, it is clearly discussed based on the averments found in the OP and the documents filed along with the OP, this Court came to the conclusion that the petitioner leased out only the vacant land. Therefore, it cannot be treated as premises within the meaning of TNRRRLT Act. Therefore, ultimately, this Court concluded that the petitioner is not entitled to invoke the provisions under TNRRRLT Act when no premises was leased out to the respondent. In fact, this Court also pointed out that in the lease deed produced by the petitioner, the property was described as a vacant land. However, in the schedule of property described in the petition for re-possession, the property was ingeniously described as premises. This Court also observed that ingenious drafting will not create a cause of action for the petitioner to file application under the provisions of TNRRRLT Act. Therefore, the petitioner has not made out any case falling within the four corners of Order XLVII Rule 1 of CPC. Hence, the review application stands dismissed. Consequently, the connected miscellaneous petition is closed. No costs.

20-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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The XI Court of Small Causes, Chennai.



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REV.APPL No. 54 of 2



S.SOUNTCHAR, J.

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