



WEB COPY

CRP No. 943 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-02-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

**CRP No. 943 of 2026 and
CMP No.5267 of 2026**

Shaikh Abdul Rahim
S/O. KS Mohideen,
Rahim Enterprises,
Shop No.122/5, Ground Floor,
Purasawalkam High Road,
Kellys, Chennai - 600010.

..Petitioner(s)

Vs

M.D.Ismail Sait
S/O. Late M.D.Ibrahi Abdullah Sait,
No.105, Asthabujam Road,
Choolai, Chennai - 600112.

..Respondent(s)

Prayer: Civil Revision Petition filed under Article 227 of Constitution of India to set aside the docket order dated. 09.02.2026 made in M.P SR No. 4403 of 2026 in RLTOP No. 548 of 2025 on the file of the learned X Small Causes Court, Chennai

For Petitioner(s): Mr. K.Venkateswaran

For Respondent(s): Mr.T.S.Baskaran
Vakalath not filed



ORDER

WEB COPY

This civil Revision Petition has been filed challenging the order passed by the Rent Court, returning the miscellaneous petition filed by the petitioner.

2. The respondent herein filed RLTOP No.548 of 2025 seeking repossession of the property on the ground that the petitioner failed to enter into the rental agreement under the provisions of the Tamilnadu Regulation of Rights and Responsibilities of Landlords and Tenants Act. The petitioner herein already filed a counter resisting the main OP. Now, instant application has been filed by the petitioner seeking leave of the court to file additional counter. The said application was returned by the rent court, even without numbering, on the ground that under the said new Rent Act, there is no provision enabling the parties to file additional counter. Aggrieved by the same, the petitioner has come before this court.

3. The learned counsel for the petitioner would submit that even though there is no specific provision under the Act enabling the parties to file additional counter, permission may be granted to the parties to file additional counter by resorting to general provisions under the Code of Civil Procedure.



4. Section 36(1) of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act would make clear that the rent court is not bound by the procedure laid down by the Code of Civil Procedure and it shall be guided by the principles of natural justice and shall have power to regulate their own procedure.

5. Section 37(1) of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act reads as follows.

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 (Central Act V of 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;



WEB COPY



(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 orders and decisions under this Act without reference to any Civil Court

(i) reviewing its orders and decisions; and

(j) any other matter as may be prescribed.

6. A perusal of the said provision would make it clear that the Act only empowered the Rent Court and Rent Tribunal to entertain petitions and to follow the procedure under the Code of Civil Procedure only for the limited purposes as mentioned in Section 37(1) of the said Act. The above provision does not authorise the rent court to entertain any petition for filing additional pleadings. In such circumstances, the rent court cannot invoke Section 37(1) of the Act to entertain the application for raising additional pleadings. Therefore, the submission made by the learned counsel for the petitioner in this regard is not acceptable to this court and the same is rejected. In view of the discussion earlier I do not find anything to interfere with the impugned order passed by the Rent Court.



7. At this juncture, the learned counsel for the petitioner would submit that the main OP was posted for orders and hence, the petitioner may be permitted to advance arguments on merits.

8. Taking into consideration that the main OP was already posted for orders, the rent court is directed to give opportunity to the petitioner to advance his arguments and then shall pass final orders.

9. With the above direction, this civil revision petition is dismissed. There shall be no order as to costs. Connected miscellaneous petition is closed.

26-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

MST

To

The X Judge,
Court of Small Causes, Chennai.



WEB COPY

CRP No. 943 of 2



S.SOUNTHAR, J.

MST

CRP No. 943 of 2026

26-02-2026