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C.R.P.No.1113 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 06.02.2026

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.1113 of 2025

and

C.M.P.No.6583 of 2025

S.Sirgeth Naina Mohammed & K.Sankar,
Advocates,
Shop No.1,
Old No.30, New No.59,
Broadway, Chennai – 600 108.

.... Petitioner

Vs

1.Khadijabai Maternity Home,
A Charitable Trust,
Registered under the Bombay,
Public Trusts Act, 1950,
Represented by its Authorized Signatory,
Mohamed Yusuf Madraswala,
No.114/30, Broadway,
Chennai – 600 108.

2.M.P.Mani,
Shop No.1, Old No.30, New No.59,
Broadway, Chennai – 600 108.

.... Respondents

Prayer: Civil Revision Petition filed under Article 227 of Constitution of India, to allow the present Civil Revision Petition and set aside the order dated 20.02.2025 passed by the XVI Court of Small Causes, Chennai, in M.P.No.3 of 2025 in RLTOP No.263 of 2024 and allow the petitioner to cross-examine the first respondent.



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For Petitioners : M/s.T.Anto Chrisbeen Jenitha
For R1 : Mr.T.Saikrishnan
For R2 : No such person

ORDER

This Civil Revision Petition is filed challenging the order passed by the Rent Court dismissing the application filed by the petitioner seeking the right of cross examination.

2. The first respondent herein filed a petition seeking repossession under Section 21(2)(a) of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017 (hereinafter referred to as the “TNRRLT Act”). It is the case of the first respondent that the second respondent herein was inducted as a tenant in respect of the petition mentioned property on the understanding that he would pay a monthly rent of Rs.1,500/- on or before the fifth day of the succeeding month. Even according to the case of the first respondent, there was no written agreement and the lease arrangement was oral.

3. It is further stated by the first respondent that the petitioner herein was inducted as a sub-tenant by the second respondent



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without any authorization from the first respondent. Further, after coming into force of the TNRRRLT Act, the second respondent failed to enter into a written lease agreement with the first respondent as mandated under the provisions of the said Act. Invoking Section 21 of the TNRRRLT Act, the first respondent filed a petition seeking repossession.

4. The second respondent remained ex-parte in the main original petition. The petitioner herein filed a counter and opposed the same, regarding the lease arrangement pleaded by the first respondent. The petitioner, in his counter, had stated that he was not aware of the any lease arrangement between the respondents 1 and 2.

5. The first respondent will get right to invoke the provisions of TNRRRLT Act only in case of establishment of jural relationship of landlord and tenant. In the case on hand, the second respondent remained ex-parte and the original petition was opposed only by the petitioner herein. As per the admitted case of the first respondent, there was no written lease arrangement and the tenancy was only oral. In such circumstances, the first respondent has to establish the oral arrangement by leading oral evidence. Therefore, the petitioner shall be given an opportunity to cross examine the witnesses examined by the first



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respondent. The Trial Court committed an error in dismissing the application filed by the petitioner.

6. In view of the above, the impugned order passed by the Rent Court is hereby set aside. Accordingly, this Civil Revision Petition stands allowed.

7. The main original petition was filed by the first respondent in the year 2024. Therefore, the petitioner is directed to complete the cross examination within two hearings and the Rent Court shall take effective steps to dispose of the main original petition as expeditiously as possible. Consequently, connected miscellaneous petition is closed. No costs.

06.02.2026

Internet:Yes/No

Index:Yes/No

Neutral Citation : Yes/No

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To

The XVI Court of Small Causes,
Chennai



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S.SOUNTHAR.J.

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