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C.R.P.No.3745 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.06.2026

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

C.R.P.No.3745 of 2022

and

C.M.P.No.19781 of 2022

K.Muthuraman

... Petitioner

Vs.

G.Krishnaveni

... Respondent

Prayer : Civil Revision Petition is filed under Article 227 of Constitution of India, praying to set aside the Decree and Judgement in M.P.No.1 of 2022 in RLTOP No.219 of 2021 dated 12.09.2022 passed by the learned XVI Small Causes Court, Chennai and to allow this Civil Revision Petition.

For Petitioner : Mr.P.Vijendran

For Respondent : Mr.S.S.Rajesh

ORDER

This Civil Revision Petition has been filed challenging the impugned order, dated 12.09.2022 passed by the XVI Court of Small Causes Court, Chennai in M.P.No.1 of 2022 in RLTOP No.219 of 2021.

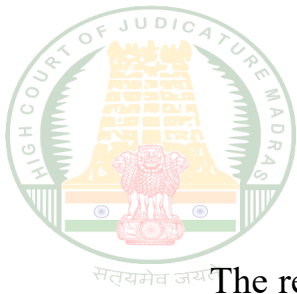


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2. The aforesaid order has been passed by the court below allowing the amendment application filed by the respondent to incorporate an additional ground in the main RLTOP.

3. Admittedly, the necessity to file an amendment application arose only after filing of the said RLTOP by the respondent against the petitioner. The respondent is the landlord and the petitioner is the tenant. After filing of the said RLTOP, it is the case of the respondent that the landlord of the respondent had requested the respondent to vacate the premises, in which, the respondent is occupying as a tenant and therefore, it became a necessity for the respondent to incorporate the pleadings in the main petition filed by the respondent in said RLTOP seeking eviction of the petitioner from the premises. The court below has given due consideration to the averments contained in the affidavit filed in support of the amendment application filed by the respondent and has rightly allowed the amendment application by holding that only to incorporate an additional ground, which arose after the filing of the said RLTOP, there became necessity for the respondent to file the amendment application.



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The relevant portion of the impugned order in respect of the respondent's requirement for amending the pleadings is reproduced hereunder :

“Further this court is inclined to note that the necessity for incorporating the ground of own occupation arose after the filing of the main application when the landlord of the petitioner for the property in which the petitioner/applicant is residing for rent, has asked her to vacate the property and due to no income in her family and no other own property, the petition premises is required for the petitioner and hence she wanted to incorporate an additional ground and as the cause of action arose after the filing of the case, the amendment is be sought at this point of time. Though the respondent contends that cause of action arose after the filing of the petition and hence the petition is not maintainable, this court is of the considered opinion that allowing the amendment for incorporating a new ground wouldnot alter the nature of the case and this court to avoid multiplicity of proceedings and to render substantial justice to the parties is inclined to allow this application. At the same time after the amendment has incorporated, the respondent has take liberty to file additional counter statement if any.”

4. This Court does not find any infirmity in the impugned order passed by the court below, allowing the amendment application filed by



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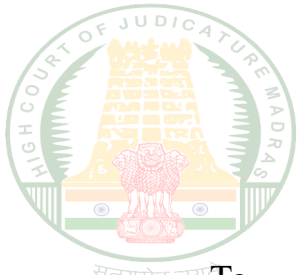
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the respondent. The interest of the petitioner has also been protected in the impugned order by granting liberty to the petitioner to file additional counter statement to the main RLTOP, namely RLTOP No.219 of 2021.

5. For the foregoing reasons, there is no merit in this revision. Accordingly, this Civil Revision Petition is dismissed. The respondent is directed to carryout the amendment to the main case in RLTOP No.219 of 2021 as per the impugned order, within a period of two (2) weeks from the date of receipt of a copy of this order. After the respondent carries out the amendment, within the stipulated time, the petitioner is directed to file an additional counter statement, if any, to the main case in RLTOP No.219 of 2021, within a period of two (2) weeks thereafter. The court below is directed to dispose of the main case in RLTOP No.219 of 2021, within a period of six (6) months thereafter. No costs. Consequently, the connected miscellaneous petition is closed.

10.06.2026

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes/No
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To
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The XVI Small Causes Court,
Chennai.



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ABDUL QUDDHOSE, J.

sp

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