Order QR

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-11-2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

CRP No. 6970 of 2026
and CMP No.29969 of 2026

CNR: {HCMA012175292026}

Case QR

Adam Mohideen
S/o.Mohamed Siddugue

..Petitioner(s)

Vs

A Prithiviraj Chordia (Deceased)

1. Dinesh Chordia
S/o. a.Prithiviraj Chordia,

2.Rajendra Chordia
S/o.A.Prithiviraj Chordia

3.K.M.Sadiq

..Respondent(s)

Prayer:

Petition filed under Article 227 of the Constitution of India, to call for the records and set aside the order dated 06-08-2026 passed in MP.No.5/2026 in RLTOP.No.532/2025 on the file of the XVI Court of Small Causes Chennai.

For Petitioner(s): Mr. S.B.Priyadarshini

For Respondent(s): Mr.Anis Gopi

https://www.mhc.tn.gov.in/judis

WEB COPY

ORDER

This Civil Revision Petition has been filed under Article 227 of the Constitution of India against the fair and decretal order passed in MP.No.5/2026 in RLTOP.No.532/2025, dated 06.8.2026, on the file of XVI Court of Small Causes Chennai, wherein the application filed by the respondents to substitute themselves in the place of deceased applicant as his legal representative, came to be allowed by the Court below.

2.Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondent. This Court carefully considered the submissions made on either side and the materials available on record and this Court also went through the order passed by the Court below.

3.RLTOP No.532 of 2025, was filed by one Prithviraj Chordia for eviction against one K.M.Sadiq. After the notice was issued, the petitioner filed a memo before the Court below stating that he is in possession and enjoyment of the property and not Sadiq. Based on the same, the said Prithviraj Chordia filed IA.No.1 of 2026, to implead the petitioner and this application was allowed on 12.2.2026.

https://www.mhc.tn.gov.in/judis

WEB COPY

4.The above said Prithviraj Chordia died and hence the application was filed in MP No.5 of 2026 to substitute 1st and 2nd respondents as his legal representatives. The said application was allowed by the Court below and aggrieved by the same, the present CRP has been filed before this Court.

5.The main ground that was urged is that two of the legal heirs had impleaded themselves leaving the rest and their presence is also required since the petitioner is questioning the very jural relationship between the parties. Apart from that without filing an application for setting aside the abatement, the Court has straightaway allowed the application by impleading the legal heirs of the deceased Prithviraj Chordia.

6.In the considered view of this Court, it will suffice if the co-owners are allowed to prosecute the application and it is not necessary for every co-owner to be made a party to the eviction proceedings. Insofar as not filing an application for setting aside the abatement, in view of Section 34 of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017, the provisions of the CPC, do not strictly apply to rent control proceedings; therefore, the present application is held to be maintainable without a separate application to set aside the abatement.

https://www.mhc.tn.gov.in/judis

WEB COPY

7.Insofar as the ground of non-existence of jural relationship is concerned, that is a ground which has to be independently agitated before the Court below and that issue has nothing to do while dealing with the application for impleading the legal representatives of the deceased in MP.No.5 of 2026.

8.In the light of the above discussion, the order passed by the Court below is sustained and this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

10-11-2026

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

https://www.mhc.tn.gov.in/judis

WEB COPY

To

XVI Court of Small Causes Chennai.

https://www.mhc.tn.gov.in/judis

WEB COPY

N.ANAND VENKATESH, J.

KP

CRP No. 6970 of 2026

10-11-2026

https://www.mhc.tn.gov.in/judis