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CRP No. 668 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-03-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 668 of 2025 & CMP.No.3789 of 2025

Deva Arul Victor
S/o Mr.Susai, No.4/846, Mogappair West,
Chennai-600037

..Petitioner(s)

Vs

1. S. Prakash
S/o.Subramanian, res at No.3/1A, S.A.Colony,
1st Street, Sharma Nagar, Vyasarpadi,
Chennai-600039
2. S.Hemakumar
S/o.Subramanian, res at No.3/1A, S.A.Colony,
1st Street, Sharma Nagar, Vyasarpadi,
Chennai-600039
3. Sujatha
D/o.Subramanian, res at No.3/1A, S.A.Colony,
1st Street, Sharma Nagar, Vyasarpadi,
Chennai-600039
4. S.Inbamala
W/o.Subramanian, res at No.3/1A, S.A.Colony,
1st Street, Sharma Nagar, Vyasarpadi,
Chennai-600039

..Respondent(s)

Prayer : Civil Revision Petition filed under Article 227 of Constitution of India to set aside the order dated 02.09.2024 passed in MP No.24/2023 in RLTOP No.6/2021 by the learned District Munsif at Ambattur.



For Petitioner(s): J.Chelladurai Caldwell

WEB COPY For Respondent(s): M/s.P.Parthiban, For Rr1 To R4

ORDER

Challenging the dismissal of the application filed by the petitioner for appointment of an Advocate Commissioner to do the ministerial act of obtaining scientific report on the Rental agreement dated 15.10.2000, the petitioner is before this Court.

2. The respondent had filed RLTOP petition seeking eviction of the petitioner from the petition premises on the ground of wilful default and owner's occupation. The petitioner denying the tenancy relationship and claiming ownership over the petition property had filed an application to send the rental agreement dated 15.10.2000 to Forensic Laboratory for scientific examination regarding the age of the paper, ink and revenue stamp in the rental agreement and comparison of the signature of the petitioner in the rental agreement. The said application was strongly opposed by the respondent. Considering the submissions of both sides, the Rent Controller had dismissed the application filed by the petitioner. Aggrieved over the same, the present revision petition has been filed.



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3. The brief facts leading to filing of this revision is as follows :

The respondent had filed RLTOP.No.6 of 2021 for eviction of the petitioner stating that the petitioner is a tenant under him for a monthly rent of Rs.6000/- from the year 2018 as per the rental agreement dated 15.10.2000. Whereas, it is the contention of the petitioner that originally the property was owned by the father of the first respondent and they entered in a rental agreement rent from October 2000. After the demise of his father, the respondents have become landlord. But the petitioner failed to pay rent from the month of December 2018. Hence, they had initiated eviction proceedings against the petitioner. The said petition was opposed by the petitioner contending that he planned to purchase the property and he had paid a sum of Rs.5 lakhs towards sale consideration and entered in to an agreement of sale in the year 2006 itself with the father of the respondents 1 to 3, namely Subramanian. Thereafter, the sale deed was not executed though he requested Subramanian. However, the petitioner is in possession of the property based on the sale agreement. He would further contend that in 2015 flood, sale agreement and other documents have washed away and he is not in possession of the documents.



4. It is the contention of the respondents that in Rent Control proceedings P.W.1 was examined in the year 2021 and evidence on the side of the respondents has been closed in the year 2022. R.W.1 has not appeared on three occasions and thereafter, he has come forward with this application to send the document for expert opinion to find out the age of paper, ink and revenue stamp found in the rental agreement, which is marked as Ex.A.2. The respondent raised objections and opposed the application. The trial Court considering the submissions on both sides had rightly dismissed the application following the ratio laid down by the Honourable Supreme Court.

5. The trial Court, considering the submissions of both sides and elaborately discussing the ratio laid down by this Court in paragraph 10 [a], [b], [c] and [d], had held that with regard to ink and paper, there is no sufficient institute and scientific mechanism to find out the age of wiring or ink and also held that no contemporary document was submitted to compare the signature of the revision petitioner and dismissed the application.

6. Admittedly, the signature of the revision petitioner found in the document is of the year 2000. But he is not inclined to produce any contemporary document to compare his signature in Ex.A.2. Further his contention that the alleged sale agreement was washed away in the flood as such is not acceptable for the reason that he has not submitted any proof that he



had lodged a complaint in this regard nor any copy of First Information Report has been filed by the petitioner. Further the petitioner has not filed any contemporary document to compare his signature in the rental agreement. Hence, this Court is of the view that the trial Court had rightly dismissed the application which requires no interference and there is no merits in this petition.

7. Accordingly, this Civil Revision Petition is dismissed. No costs. However, the learned District Munsif, Ambattur is directed to dispose of the RLTOP.No.6 of 2021 within a period of three months from the date of receipt of a copy of this Order. Consequently, connected miscellaneous petition is closed.

02-03-2026

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

vrc

To,

The District Munsif,
Ambattur.



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CRP No. 668 of 2



T.V.THAMILSELVI, J.

VRC

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