Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

CRP No. 6723 of 2026

CNR:{HCMA012304572026}

AND

CMP NO. 28973 OF 2026

1. V.Chitrakaniammal
   Wife of Late Mr. Varadharajan Nadar

2. V.Vijaya Narayanan
   Son of Late Mr. Varadharajan Nadar

3. V.Jaikrishnan
   s/o Late Mr. Varadharajan Nadar

..Petitioner(s)

Vs

1. M/s.Shree Jain Medical Relief Society,
   Having Reg No.37/ 1951,
   Represented by its General Secretary
   Mr.Rajkumar Dugar
   No. 10, Vinayaga Mudali Street,
   Sowcarpet, Chennai-500 079

2. Rathna
   Daughter of Late Mr. Varadharajan Nadar,

3. Maheswari
   Daughter of Late Mr. Varadharajan Nadar,

4. Shanthi
   Daughter of Late Mr. Varadharajan Nadar,

..Respondent(s)

Civil Revision Petition filed under Article 227 of the Constitution of India praying to set aside the fair and decretal order dated 08.09.2026 passed in MP

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No.2 of 2026 in RLTOP No.188 of 2025 on the file of the XIII Judge, Court of Small Causes, Chennai**.**

For Petitioner(s): Mr.P.Sivamani

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.2 of 2026 in RLTOP No.188 of 2025 on the file of XIII Judge (FAC), Court of Small Causes, Chennai, wherein the application filed by the petitioners /tenants under Section 36(2) of the Tamil Nadu Regulation of Rights and Responsibilities of Landlord and Tenant Act, 2017 [hereinafter referred to as the "TNRRRLT" Act"), to cross examine the respondent /landlord, came to be rejected by the Court below.

2. Heard the learned counsel for the petitioners and carefully perused the materials available on record as well as the order passed by the Court below.

3. The first respondent has initiated eviction proceedings against the petitioners and during the pendency of the proceedings, an application came to be filed by the petitioners under Section 36(2) of the TNRRRLT Act to cross examine the landlord. The Court below rejected the said application mainly on the ground that the two contingencies that have been contemplated under Section 21(2) (a) of the TNRRRLT Act, has not been satisfied and therefore, the petitioners cannot seek for cross examination, as a matter of right.

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4. The main contention that was urged on the side of the petitioners is that in response to the counter filed by the petitioners in the RLTOP proceedings, the respondent/landlord filed a rejoinder containing certain averments, which have to be necessarily rebutted by the petitioners. Therefore, if an opportunity to cross examine the respondent / landlord is not given, the petitioners will not be able to rebut the averments made in the rejoinder.

5. In the considered view of this Court, if that is the specific grievance of the petitioners, they can always be permitted to file a reply to the rejoinder filed by the respondent /landlord and the Court below can thereafter take into consideration the entire pleadings and evidence on record and arrive at a final decision.

6. The above observations will sufficiently take care of the interest of the petitioner. Accordingly, the order passed by the Court below does not warrant the interference of this Court and this Civil Revision Petition stands disposed of in the above terms. No costs. Consequently, the connected miscellaneous petition is closed.

29-10-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
RKA
To, XIII Judge, Court of Small Causes, Chennai.
Note : Issue order copy on 01.11.2026

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N.ANAND VENKATESH J.

RKA

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