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C.R.P. No. 334 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06-01-2026

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THE HONOURABLE MR.JUSTICE P.B. BALAJI

C.R.P. Nos. 334 and 346 of 2024
and C.M.P. No. 1599 of 2024

C.R.P. No. 334 of 2024:

K. Ravindranath
Prop.M/s New Vijaya Lodge,
No.46/2, Azeez Nagar,
2nd Street, Kodambakkam,
Chennai - 600 024.

...Petitioner/Appellant/ Respondent

Vs

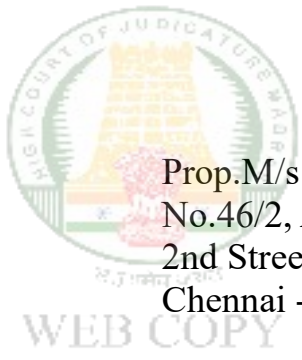
Saifee Jubilee High School and Madarasersase
Yusufia Society Of Sidhpur rep by POAs
1.Shaikh Ebrahim Bhai S.K.Yusuf Bhai Haji,
Res at No.94, Broadway,
Chennai 108.

2.Shaikh Abdulla Hatim Bhai Millwala
Res at No.94,
Broadway,
Chennai 108.

...Respondents/ Respondents/Petitioner

C.R.P. No. 346 of 2024:

K. Ravindranath



Prop.M/s New Vijaya Lodge,
No.46/2, Azeez Nagar,
2nd Street, Kodambakkam,
Chennai - 600 024.

...Petitioner/Respondent/
Appellant/ Respondent

Vs

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Res at No.94, Broadway,
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...Respondents/Petitioners/
Respondents/Petitioners

Prayer in C.R.P. No. 334 of 2024: Civil Revision Petition filed under Article 227 of the Constitution of India, 1950, praying to set aside the Docket Order (web copy) dated 07.12.2023 made in R.C.A.No.30 of 2022 on the file of the learned VIII Judge, Small Causes Court, Chennai and allow the above CRP.

Prayer in C.R.P. No.346 of 2024: Civil Revision Petition filed under Article 227 of the Constitution of India, 1950, praying to set aside the Docket Order (web copy) dated 07.12.2023 made in M.P.No.2 of 2023 in R.C.A.No. 30 of 2022 on the file of the learned VIII Judge, Small Causes Court, Chennai and allow the above CRP.



For Petitioner(s) : Mr.M. Murali
in both revisions

For Respondent(s) : Mr. Amith Shah
in both revisions

COMMON ORDER

The tenant is the revision petitioner challenging the Judgment dated 07.12.2023 passed by the Appellate Court in R.C.A.No.30 of 2022 on the file of the learned VIII Judge, Small Causes Court, Chennai as well as the Docket Order in M.P.No.2 of 2023 in R.C.A.No.30 of 2022.

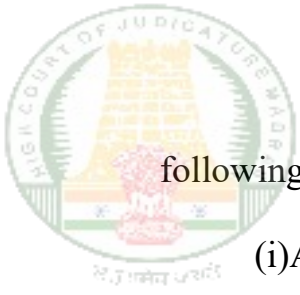
2.The respondent has initiated fair rent proceedings against the revision petitioner. The respondent being a Society through its Secretary has appointed Mohammed Yusufi Madraswala as his duly constituted Power Agent. The authenticity and genuineness of the Power of Attorney is called in question by the petitioner/tenant. An application was filed Under Order 3 Rule 2 of the Code of Civil Procedure to recognise the Power Agent. The Rent Controller allowed the application on payment of cost of Rs.3,000/-, however, the Appellate Authority has now set aside the cost portion alone while confirming the Orders of the Rent Controller. These orders are now presently challenged in the present revisions.



3. I do not see any merit in these revision petitions. In fact, I find that the Appellate Authority has also rightly observed that it shall be open to the petitioner/tenant to challenge the genuineness of the Power of Attorney by cross examining the Power Agent. It appears that no such steps have been taken by the petitioner, however, the Orders of the Appellate Authority are challenged before this Court in the above revisions.

4. Mr. Amith Shah, learned counsel appearing for the respondents would state that even pending RCOP, the very same Power Agent was permitted to prosecute the proceedings of the respondent/School and the said orders have not been challenged by the tenant. Be that as it may to the appeal as well as the present revision petition, the primordial challenge is only to capacity of the respondent/School, to represent the respondent/School and to prosecute the fair rent petition.

5. In the light of the above, and also considering the liberty granted by the Appellate Authority, I do not see any prejudice being caused to the respondents as well, if the petitioner is given liberty to cross examine the Power Agent with regard to the truth and genuineness of the Power of Attorney under which he claims to represent the respondent/School, and also considering that the RCOP has been pending from 2016 onwards, I dispose of these revision petitions in the



following manner:

(i) Accordingly, these Civil Revision Petitions are dismissed.

(ii) The petitioner shall be given an opportunity to cross examine the Power Agent only with regard to the genuineness of Power of Attorney and its locus to represent the respondent School. A limited cross examination shall be permitted by the Rent Controller and the same shall be completed on or before 20.02.2026. Thereafter, the Rent Controller shall decide the RCOP finally on merits and in accordance with Law by 30.03.2026.

(iii) No costs.

06-01-2026

mps

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The VIII Judge,
Small Causes Court,
Chennai

2. The Section Officer,
V.R. Section,
Madras High Court.



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P.B.BALAJI, J.

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