

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on: 29.01.2026

Pronounced on: 13.02.2026

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THE HONOURABLE MR.JUSTICE P.B.BALAJI

**CRP. Nos.5318 & 5321 of 2025
and
CMP. Nos.26774 & 26783 of 2025**

Mrs.Usha Raveendran,
Proprietrix Ravindra Lodge,
No.26, Vengu Chetty Street,
Park Town, Chennai 600 003.

Petitioner in both CRPs

Vs

Mr.N.C.Kandasamy

Respondent in both CRPs

COMMON PRAYER: This Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decretal order dated 22.10.2025 made in M.P. No.11 of 2025 in R.C.A. No.99 of 2022 & M.P. No.16 of 2025 in R.C.A. No.206 of 2021, passed by the learned VII Judge of Court of Small Causes at Chennai.

For Petitioner : Mrs.Chitra Sampath,
Senior Counsel for
Mr.M.Ganesan in both CRPs

For Respondent : Mr.A.Palaniappan in both CRPs



COMMON ORDER

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The appellant/tenant before the Rent Control Appellate Authority is the revision petitioner. The present revision petitions have been filed challenging the dismissal of M.P. No.11 of 2025 in R.C.A. No.99 of 2022 and M.P. No.16 of 2025 in R.C.A. No.206 of 2021.

2. I have heard Mrs.Chitra Sampath, learned Senior Counsel for Mr.M.Ganesan, learned counsel for the petitioner and Mr.A.Palaniappan, learned counsel for the respondent in both CRPs.

3. Mrs.Chitra Sampath, learned Senior Counsel would first and foremost contend that this Court in an earlier round of revision between the same parties, had permitted the appellant to produce additional documents and lead evidence and that the respondent/landlord is also permitted to cross examine the witnesses to be examined on the side of the petitioner/tenant. The learned Senior Counsel would state that in furtherance of the liberty granted, several documents were filed by the petitioner and the respondent has also elaborately cross examined the witness on the said additional documents. The learned Senior Counsel would further state that in the course of cross examination, the respondent/landlord had disputed the genuineness of some of the documents and therefore, in order to establish the truth and genuineness of the said documents alone, it had become necessary for the petitioner to take out the

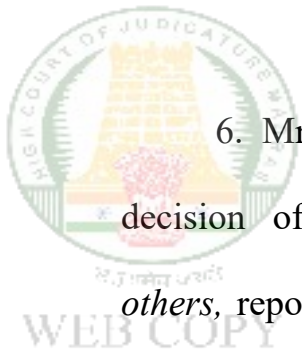


present application for sending the disputed documents for comparison to the Forensic Expert.

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4. The learned Senior Counsel would state that if the applications are not allowed, the very object of this Court showing indulgence and giving an opportunity to the petitioners to lead additional evidence would be lost and on the contrary, no prejudice would be caused to the respondent/landlord, if the Forensic Expert gives his opinion on the disputed signatures, as it would only assist the Appellate Authority in coming to the right conclusion. The learned Senior Counsel would therefore state that the Appellate Authority has failed to exercise discretion vested with it and the said orders require interference in revisions.

5. Per contra, Mr.A.Palaniappan, learned counsel appearing for the respondent/landlord would first and foremost contend that the respondent has never challenged the genuineness of the signatures in the documents that have been exhibited by the petitioner. He would on the contrary contend that it was the specific case of the respondent/landlord that the very documents that have been relied on by the revision petitioner were contradictory to her own admitted case and therefore, no useful purpose would be served by sending the documents for Forensic Examination. Mr.A.Palaniappan, learned counsel would further contend that the present attempt was to only protract the proceedings and already, the petitioner has been successful in enlarging the scope of the Rent Control Appeal and he would therefore state that the Appellate Authority has rightly rejected the request of the revision petitioner and the same does not warrant interference in revision.



6. Mr.A.Palaniappan, learned counsel for the respondent has relied on the decision of the High Court in *Madholal Sindhu Vs. Asian Assurance Co.Ltd., and others*, reported in, *AIR 1954 Bombay 305*. In the said decision, the Bombay High Court held that what was in issue was not only the signatures or the handwriting but whether the contents of those documents were themselves correct and no purpose would be served to admit such documents, despite there being evidence that the various documents were signed or were in the handwriting of the persons concerned.

7. I have carefully considered the submissions advanced by the learned Senior Counsel for the petitioner and the learned counsel for the respondent.

8. The respondent as landlord had sought for eviction of the petitioner by initiating Rent Control Proceedings in RCOP. No.1447 of 2015 for eviction and RCOP. No.1750 of 2015 for fixation of fair rent. Eviction was ordered by the Rent Controller, after enquiry and similarly, fair rent was also fixed, as against which Rent Control Appeals in RCA. Nos.206 of 2021 and 99 of 2022 are pending before the Appellate Authority. It is the case of the tenant that the superstructure was not belonging to the respondent/landlord and hence, the very petitions before the Rent Controller are not maintainable. The said contentions of the petitioner was rejected by the Rent Controller while ordering the eviction and fixing the fair rent. Pending the appeals, the petitioner wanted to file additional documents. However, the application was dismissed by the Appellate Authority. The petitioner moved this Court in CRP. Nos.3525 and 3629 of 2025 and this Court allowed the revisions and permitted additional evidence to be adduced, giving directions to completion of the evidence on



particular dates without any extension, with a further direction to the Appellate

Authority to pass final orders within 15 days from the date of completion of evidence.

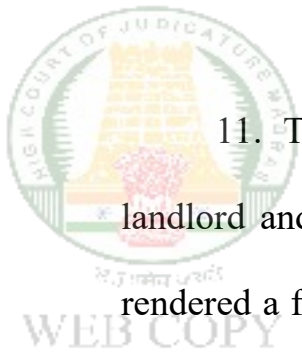
The revisions were disposed of on 26.08.2025. Thereafter, the petitioner sought permission to file additional counter by taking out Miscellaneous Petitions. The Appellate Authority did not number the applications and hence, the petitioner approached this Court and after hearing both the parties, I passed an order on 22.09.2025, in CRP. Nos.4468 and 4474 of 2025, permitting the additional counter to be taken on record. In view of the earlier direction passed by this Court, I extended the time for the Appellate Authority to dispose of the appeal by end of October 2025. Thereafter, the present applications have been taken out for sending the disputed signatures for comparison to the expert for Forensic Examination. The Appellate Authority has dismissed the said applications by order dated 22.10.2025. Aggrieved by which, the present revisions have been filed.

9. The case of the revision petitioners is that there is no jural relationship of landlord and tenant and in order to establish that the superstructure does not belong to the respondent/landlord, the petitioner sought not only to introduce additional documents, but also filed an addition counter. Both the requests were acceded to by this Court, the same time, directing time bound disposal of the Rent Control Appeals by the Appellate Authority. Evidence has been recorded pursuant to the directions issued by this Court and in fact, the respondent/landlord, I am informed has also advanced arguments through his learned counsel and the appeals are now listed only for arguments of the petitioner/tenant. At that juncture, contending that the Exhibits



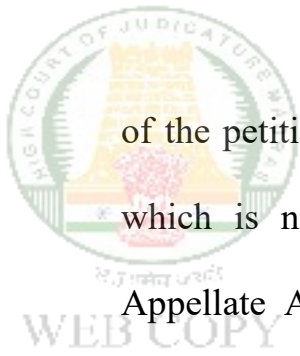
R7, R15, R124, R145, R149 and R166 are to be sent for Forensic examination, present Applications have been taken out. The respondent/landlord has objected to the said request stating that the said Exhibits are of no relevance to the case set up by the petitioner/tenant and in fact, run contrary to what he has pleaded and deposed. Therefore, the objection of the respondent is that the documents need not be sent for Forensic examination.

10. The proceedings under the Rent Control Act, 18 of 1960 are summary in nature. The rigors of trial in a regular Civil Suit are not applicable to Rent Control Proceedings. However, the petitioner, tenant has already been shown great amount of indulgence, by permitting him to exhibit several documents at the appellate stage. The petitioner has also proceeded to lead evidence in furtherance of the orders passed by this Court and marked several documents. The specific case of the petitioner is that only vacant land was leased to the predecessor in interest of the petitioner/tenant and the original owner had even given consent for the tenant to put up superstructure. However, the claim of the petitioner is disputed by the landlord contending that the documents are an afterthought and fabricated and further, there is no admitted document to be sent for comparison with the disputed documents, leave alone, they being contemporaneous in nature. Besides such contention, the more relevant objection was that the documents that are now sought to be sent for Forensic Expert are contradictory to petitioner's documents and also self-destructive and the applications were only taken out to protract the proceedings and clearly defeat the orders of this Court directing early disposal of the appeals.



11. The Appellate Authority found merit in the objections raised by the landlord and dismissed the Applications. The Appellate Authority, in fact has also rendered a finding that the objection is more based on the contents of the documents than signatures and the core issue was revolving around the contradictions between the contents of the petitioner's own document rather than authenticity of the signatures. In fact, the Appellate Authority also found, based on the landlord's, cross examination that there was no serious challenge with regard to the signatures in the said exhibits which are sought to be referred to the handwriting expert and proceeded to dismiss the applications. I do not see any perversity or infirmity in the findings arrived at by the Appellate Authority in dismissing the Application to send the documents to the Forensic expert.

12. The petitioner has come to Court with a definite case that the land originally belonged to one Natesa Chettiar, who is the grandfather of the respondent/landlord and that the petitioner's predecessor in interest was inducted into possession of vacant land in the year 1960 and that it was the petitioner's predecessor in interest to put up the superstructure with the consent of the said Natesa Chettiar and only ground rent was being paid. However, in the course of adducing additional evidence, the petitioner has relied upon various other documents which show that the building was already existing. Documents filed by the petitioner herself established that building existed even in the year 1964 and the case of the petitioner that Janaki Ammal was permitted to put up construction, therefore cannot be true. Further as rightly pointed out by Mr.A.Palaniappan, learned counsel that it is not even the case



of the petitioner in pleading that it was Janaki Ammal, who put up the construction which is now sought to be established by filing additional documents before the Appellate Authority. Even from the cross examination, as rightly found by the Appellate Authority, there is no serious challenge to the signatures found in these documents. In such circumstances, referring these documents to the Forensic Expert is not necessary to adjudicate the issues that arise in the appeals. The Appellate Authority has rightly dismissed the applications and I do not see any grounds made out by the petitioner, warranting interference with the well considered order of the Rent Control Appellate Authority. In fact, law is also well settled that the opinion of the handwriting expert is a weak evidence and it is not always safe for the Courts to rely upon the same.

13. Further, as contended by Mr.A.Palaniappan, learned counsel for the respondents, the documents are also not contemporaneous and further admitted documents are also not available to be sent for comparison. In any event, the decision regarding whether the petitioner's predecessor in interest put up superstructure does not even hinge on the truth or genuineness of signatures in the document that are now sought to be sent for Forensic examination. In the light of the above, I am not inclined to entertain the present revision petitions.

14. In fine, these Civil Revision Petitions are **dismissed**. Considering that this Court has twice earlier directed early disposal of the Rent Control Appeals and in view of the fact, what remains is only arguments on the side of the petitioner/tenant, I



am inclined to direct the Appellate Authority to dispose of the appeals by ௧௩.௦௨.௨௦௨௬

February. Connected Miscellaneous Petitions are also dismissed. No costs.

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Neutral Citation Case : Yes/No

Internet: Yes/No

Index : Yes/No

To:

The VII Judge of Court of Small Causes at Chennai.



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P.B.BALAJI, J.,

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Pre-delivery order in
CRP. Nos.5318 & 5321 of 2025
and CMP. Nos.26774 & 26783 of 2025

13.02.2026



C.R.P.Nos.5318 & 5321 of 2025

WEB COPY P.B.BALAJI.J.,

Mr.M.Ganesan, learned counsel for the petitioner invited my attention to the order dated 13.02.2026 and stated that certain observations might come in the way of the petitioner when they proceed to argue the Rent Control Appeals. The learned counsel pointed out certain instances in paragraph Nos. 9, 10, 12 and 13. I do not see that any of these portions in anyway amount to observations made by this Court, against the petitioner. I have only considered the arguments of the parties and discussed the merits and demerits of the findings of the Appellate Authority.

2. In light of the above, I do not see any clarification being necessary. However, I find merit in the request to replace the word “building” in Paragraph Nos.12 lines 8 and 9, with the word “superstructure”.

3. Mr.Ganesan, learned counsel further states that the learned Senior Counsel appearing for the petitioner is away from India and hence, direction to the Appellate Authority to dispose of the appeals by end of February may be suitably extended.

4. Learned counsel for the respondent, Mr.A.Palaniyappan fairly states that time may be extended on account of personal inconvenience of the learned Senior Counsel being expressed.



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P.B.BALAJI.J

dh

5. In the light of the above, the Appellate Authority shall dispose of the appeals by 16.03.2026

6. Except the above changes, all other aspects shall remain intact. Fresh copy of the corrected order may be issued/uploaded.

24.02.2026

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C.R.P.Nos.5318 & 5321 of 2025