



CRP(MD). No.304 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

**Dated : 06.02.2026**

CORAM

**THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR**

**CRP(MD). No.304 of 2026  
and  
CMP(MD) No.1366 of 2026**

A.Sampath Kumar

... Petitioner

Vs

P.Augustin Anbarasan

... Respondent

PRAYER :-Civil Revision Petition filed under Section 25 of the TN Buildings (Lease and Rent) Control Act, to set aside the fair and decretal order dated 16-10-2025 in R.C.A.No.25 of 2024 on the file of the learned Rent Control Appellate Tribunal (Principal Subordinate Court), Tiruchirappalli, confirming the order dated 28-08-2024 in R.C.O.P.No.26 of 2019 on the file of the Rent Control Tribunal (I Additional District Munsif Court), Tiruchirappalli.

For Petitioner : Ms.Rukmani for  
Mr.V.R.Shanmuganathan

**ORDER**

This Civil Revision Petition has been filed challenging the order made in R.C.A.No.25 of 2024 on the file of the Rent Control Appellate Tribunal (Principal Sub Court), Tiruchirappalli, dated 16.10.2025, confirming the order made in RCOP.No.26 of 2019 on the file of the Rent Control Tribunal (I Additional District Munsif Court, Tiruchirappalli, dated 28.08.2024.



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2.The petitioner is a tenant and the respondent is a landlord.

The respondent initiated rent control proceedings in R.C.O.P.No.26 of 2019 before the Rent Control Tribunal (I Additional District Munsif Court), Tiruchirappalli, seeking an order of eviction against the petitioner on the ground of own use and occupation. After full-fledged trial, on 28.08.2024, the learned Rent Controller allowed the petition on the ground of own use and occupation.

3.Aggrieved over the same, the petitioner/tenant filed R.C.A.No. 25 of 2024 before the Rent Control Appellate Tribunal (Principal Sub Court), Tiruchirappalli. The said appeal was also dismissed on 16.10.2025, confirming the order, dated 28.08.2024. Challenging the concurrent judgments, the petitioner/tenant is before this Court.

4.The learned counsel for the petitioner reiterating all the contentions set out in the memorandum of Revision would submit that the respondent/landlord has failed to establish his *bona fide* requirement for seeking eviction of the petitioner/tenant from the subject property. It is submitted that mere assertion of requirement is not sufficient; the respondent must substantiate the same with cogent



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and convincing evidence. In the present case, no material has been placed on record to demonstrate that the alleged need is genuine, pressing, and *bona fide*. In the absence of such particulars, the claim of *bona fide* requirement is vague and un-sustainable. Hence, he prays for appropriate orders.

5.Heard the learned counsel for the petitioner and perused the records. Since no adverse order is going to be passed against the respondent, notice to the respondent is dispensed with.

6.Admittedly, the respondent/landlord filed R.C.O.P.No.26 of 2019 against the petitioner/tenant seeking eviction. The said petition was allowed on 28.08.2024 on the ground of own occupation of the respondent/landlord. Aggrieved over the same, the petitioner/tenant preferred R.C.A.No.25 of 2024 and the same was dismissed on 16.10.2025, which is under challenge herein.

7.From the careful perusal of the entire papers, particularly the orders passed by the Court below, it is seen that the respondent/landlord had instituted eviction proceedings on the ground of *bona fide* requirement, namely, own use and occupation.



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The Rent Controller, upon appreciation of the oral and documentary evidence, came to the conclusion that the building in question requires own use and occupation of the respondent. Accordingly, an order of eviction was passed. Aggrieved by the same, the petitioner/tenant preferred an appeal. The Appellate Authority, on re-appreciation of the entire materials available on record, concurred with the findings of the Rent Controller and confirmed the order of eviction, holding that the tenant cannot dictate or decide, in what manner or in which building, the landlord should carry on the business.

8.It is to be noted that the landlord, being the owner of the property, is entitled to seek eviction, if he/she is able to establish his/her *bona fide* requirement. In the present case, both the Court below have concurrently found based on the evidence that the landlord has means. It is a settled principle of law that in a Revision Petition this Court cannot re-appreciate the evidence as an appellate authority and interfere with the concurrent findings of fact, unless there is perversity or material irregularity. In the case on hand, no such infirmity is shown.



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9.In such circumstances, this Court finds that the order of eviction passed on the ground of own use and occupation is valid and does not call for any interference. Accordingly, the Civil Revision Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Speaking : Yes / No  
NCC : Yes / No  
Internet : Yes / No  
Index : Yes / No  
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**06.02.2026**

To

1.The Principal Subordinate Judge,  
Tiruchirappalli.

2.The I Additional District Munsif, Tiruchirappalli.



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**N.SENTHILKUMAR, J.**

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