



C.R.P. (MD) No. 335 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2026

CORAM

THE HON'BLE MR. JUSTICE **N.SENTHILKUMAR**

C.R.P.(MD)No.335 of 2022

and

C.M.P.(MD)No.1446 of 2022

Jaffer Ali

... Petitioner

-VS-

Syed Pathu

... Respondent

PRAYER: Petition filed under Section 25 of the Tamilnadu Buildings (Lease and Rent Control) Act, to revise the fair and decreetal order as passed by the Rent Control Appellate Authority, ie., the learned Principal Subordinate Judge, Dindigul made in R.C.A.No.14 of 2018, dated 18.11.2021 confirming the fair and decreetal order of the learned Principal District Munsif, Dindigul made in R.C.O.P.No.49 of 2014, dated 04.08.2018 directing the petitioner/appellant/respondent/tenant to vacate the premises let out for rental purpose by the respondent to the petitioner forthwith within a time frame of two months.

For Petitioner : Mr.S.Palani Velayutham

For Respondent : No Appearance



C.R.P. (MD) No. 335 of 2022

ORDER

WEB COPY

The Civil Revision Petition has been filed to set aside the fair and decreetal order dated 18.11.2021 passed in R.C.A.No.14 of 2018 on the file of the Principal Subordinate Judge, Rent Control Appellate Authority, Dindigul, hereinafter referred to as the 'First Appellate Court' for short confirming the fair and decreetal order, dated 04.08.2018, passed in R.C.O.P. No. 49 of 2014 on the file of the Principal District Munsif Court, Rent Controller, Dindigul, (hereinafter referred to as the 'Trial Court' for short).

2.Heard Mr.S.Palani Velayutham, learned Counsel for the petitioner and perused the materials placed on record, apart from the pleadings of the parties.

3.The contention of the learned Counsel appearing for the petitioner is that there is no landlord and tenant relationship between the parties and the Courts below were erred in granting an order of eviction. The first appellate Court has pointed out in the impugned order that the petitioner has not been able to show any proof for the mortgage by any documentary evidence and mere bare statement of third parties cannot be relied.



C.R.P. (MD) No. 335 of 2022

4.The Hon'ble Supreme Court in various judgments, has consistently held that in the absence of any evidence to be contrary to the relationship of landlord and tenant, it has to be inferred when there is a delivery of possession of the property by way of occupation between the parties. Hence, the impugned order is confirmed.

5.In the result, the Civil Revision Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

20.01.2026

Index : Yes/No

Internet : Yes/No

cmr

To

1.The Principal Subordinate Judge,
Rent Control Appellate Authority,
Dindigul,

2.The Principal District Munsif Court,
Rent Controller, Dindigul,

3.The Section Officer,
Vernacular Records Section,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



C.R.P. (MD) No. 335 of 2022

N.SENTHILKUMAR, J.

cmr

C.R.P.(MD)No.335 of 2022

20.01.2026