



CRP(MD). No.355 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 11.02.2026

CORAM

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

**CRP(MD). No.355 of 2026
and
CMP(MD) No.1618 of 2026**

B.Revathi

... Petitioner

Vs

Navaz Ahamed

... Respondent

PRAYER :-Civil Revision Petition filed under Section 25 of the TN Buildings (Lease and Rent) Control Act, to call for the records relating to fair order and decreetal order passed in RCA.No.19 of 2023 on the file of Rent Control Appellate Authority (Principal Sub Court), Tiruchirappalli dated 12.09.2025 confirming the fair order and decreetal order passed in RCOP.No.27 of 2015 on the file of Rent Control Tribunal (III Additional District Munsif Court, Tiruchirappalli dated 14.03.2023 and set aside the same.

For Petitioner : Mr.M.Ashok Kumar

For Respondent : Mr.Raguvaran Gopalan

ORDER

This Civil Revision Petition has been filed challenging the order made in R.C.A. No.19 of 2023 on the file of the Rent Control Appellate Authority (Principal Sub Court), Tiruchirappalli, dated 12.09.2025, confirming the order made in RCOP.No.27 of 2015 on the file of the



CRP(MD), No.355 of 2026

Rent Control Tribunal (III Additional District Munsif Court,
Tiruchirappalli, dated 14.03.2023.

2.The petitioner is a tenant and the respondent is a landlord. The respondent initiated rent control proceedings in R.C.O.P.No.27 of 2015 before the Rent Control Tribunal (III Additional District Munsif Court), Tiruchirappalli, seeking an order of eviction against the petitioner on the ground of wilful default, demolition and reconstruction. After full-fledged trial, on 14.03.2023, the learned Rent Controller allowed the petition on the ground of demolition and reconstruction of the demised property alone.

3.Aggrieved over the same, the petitioner/tenant filed R.C.A.No. 19 of 2023 before the Rent Control Appellate Authority (Principal Sub Court), Tiruchirappalli. The said appeal was also dismissed on 12.09.2025, confirming the order, dated 14.03.2023. 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 in the averments of RCOP petition, it had been stated by the



CRP(MD), No.355 of 2026

respondent/landlord that he requires the petition mentioned property, which is in the occupation of the petitioner/tenant, for the purpose of demolition and re construction. However, to prove his *bona fide* needs, the respondent has not produced any building approved plans, extending the explicit intention to demolish and re-construct the building in question or the whole structure. As such, it is the contention of the learned counsel for the petitioner that the respondent does not have the *bona fide* intention to demolish and re-construct the demised property. Hence, he prays for appropriate orders.

5.The learned counsel for the respondent would submit that since the demised property is very old, the respondent intends to demolish the entire structures and put up new construction over the same. Hence, RCOP proceedings have been initiated as against the petitioner for recovery of possession of the demised property on the ground of demolition and reconstruction along with other grounds. He would therefore pray for appropriate orders for dismissal of this petition.



CRP(MD). No.355 of 2026

WEB COPY 6. Heard the learned counsel on either side and perused the records.

7. Admittedly, the respondent/landlord filed R.C.O.P.No.27 of 2015 against the petitioner/tenant seeking eviction. The said petition was allowed on 14.03.2023 on the ground of demolition and reconstruction of the demised property for the purpose of own occupation of the respondent/landlord. Aggrieved over the same, the petitioner/tenant preferred R.C.A.No.19 of 2023 and the same was dismissed on 12.09.2025, which is under challenge herein.

8. 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, for demolition and reconstruction of the demised premises. The Rent Controller, upon appreciation of the oral and documentary evidence, came to the conclusion that the building in question requires demolition and reconstruction. Accordingly, an order of eviction was passed. Aggrieved by the same, the petitioner/tenant preferred an appeal. The



CRP(MD). No.355 of 2026

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 landlord has established both the grounds, viz., *bona fide* intention to demolish and reconstruct the building.

9.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 and intention to carry out such reconstruction. 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.

10.In such circumstances, this Court finds that the order of eviction passed on the ground of demolition and reconstruction, coupled with the requirement for own occupation, is valid and does not call for any interference. Accordingly, the Civil Revision Petition



CRP(MD), No.355 of 2026

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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11.02.2026

To

1.The Principal Subordinate Judge,
Tiruchirappalli.

2.The III Additional District Munsif,
Tiruchirappalli.



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CRP(MD). No.355 of 2026

N.SENTHILKUMAR, J.

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CRP(MD). No.355 of 2026

11.02.2026