



C.R.P.(MD).No.980 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2026

CORAM

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

C.R.P(MD)No.980 of 2026

and

C.M.P.(MD)No.4489 of 2026

J.Jaffer Ali

... Petitioner

Vs.

C.Natarajan

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 23.03.2026 passed in IA No.1 of 2026 in RLTOP. No.34 of 2024, on the file of the III Additional District Munsif Court, Madurai Town and allow the Civil Revision Petition.

For Petitioners :Mr.J.Jeyakumaran

For Respondent : ----



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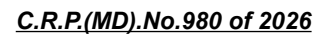
ORDER

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Aggrieved by the rejection of a petition filed questioning the maintainability of RLTOP, the petitioner/tenant is before this Court.

2. There is no dispute in the relationship between the parties. The petitioner is the tenant and the respondent is the landlord. Alleging that the tenant is liable to be evicted from the property on two grounds, namely, Section 21(2)(a) and Section 21(2)(g) of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017 (hereinafter referred to as the “TNRRLT Act, 2017”) the landlord presented the eviction petition. It was received and numbered as RLTOP.No.34 of 2024 on the file of the III Additional District Munsif, Madurai Town. The tenant has filed a counter, running into several pages.

3. Thereafter, he took out an application calling upon the Court to decide on the maintainability of the said petition. This was in I.A.No.1 of 2026. After receipt of a counter from the landlord, the learned Trial Judge proceeded to dismiss the said petition. Hence, this Civil Revision Petition.





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procedure under Section 34. As to the scope and extent of its jurisdiction is delineated under Section 33. Section 34 is not an enabling provision for a tenant or a landlord, calling upon the Rent Controller to decide its jurisdiction as a preliminary issue. Such a power, which is akin to Order 7 Rule 11 or Order 14 Rule 1 of the Code of Civil Procedure, is not present in the TNRRRLT Act, 2017. In the absence of such a provision calling upon the Tribunal or Rent Court to decide on its own issue at a preliminary stage does not arise.

8. If the issue is raised by way of a counter, the Rent Court would certainly have to decide that issue at the time of final disposal. If the parties to a rent proceedings are permitted to raise such issues or to file such petitions calling upon the Rent Court or Rent Tribunal to decide on its jurisdiction at the outset, then the purpose of having a summary procedure under the Act, would itself be defeated.

9. Apart from maintainability, insofar as the specific plea raised by Mr.Jeyakumaran is concerned, I have gone through the counter filed by the tenant in the RLTOP. I do not find any plea taken therein to the specific issue that has been raised by him in the revision. No party can be permitted to raise an issue which has not been



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originally pleaded. The golden thread which runs throughout the TNRRRLT Act, 2017 is the adherence to the principles of natural justice. Unless and until, the landlord is specifically put on notice, on the objections raised by the tenant, to call upon him to answer that issue would not be fair and would certainly be contrary to the principles of natural justice. Leaving it open to the parties to agitate whatever issues that they have presented in their petition and counter before the Rent Court, the order impugned is upheld.

8. Accordingly, this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

06.04.2026

NCC : Yes / No
Index : Yes / No

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To

The III Additional District Munsif Court,
Madurai Town.

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V.LAKSHMINARAYANAN, J.

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