



CRP(MD). No.309 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 06.02.2026

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THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

**CRP(MD). No.309 of 2026
and
CMP(MD) No.1399 of 2026**

1.G.Vijayan

2.P.Gopalsamy

... Petitioners

Vs

1.Nallathambi

2.S.Rajarajan

... Respondents

PRAYER :-Civil Revision Petition filed under Article 227 of the Constitution of India, to call for the entire records pertaining to the Fair and Decretal Order passed in R.T.A.No.17 of 2024 dated 21.07.2025 on the file of the learned Rent Control Appellate Tribunal cum VI Additional District Judge, Madurai, reversing the Fair and Decretal Order passed in R.L.T.O.P.No. 135/2020 on the file of the learned Rent Control Tribunal cum 1st Additional District Munsif, Madurai Town and to set aside the order passed therein.

For Petitioners : Mr.C.M.Arumugam

For Respondents: Mr.V.N.Arjun for
Mr.N.Vallinayagam



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ORDER

This Civil Revision Petition has been filed challenging the judgment made in R.T.A.No.17 of 2024 on the file of the Rent Control Appellate Tribunal cum VI Additional District Court, Madurai, dated 21.07.2025, reversing the order made in RLTOP.No.135 of 2020 on the file of the Rent Control Tribunal cum I Additional District Munsif Court, Madurai Town, dated 26.11.2024.

2.The petitioners are the tenants Nos.2 and 3 and the respondents are the landlords. The respondents initiated rent control proceedings in R.L.T.O.P.No.135 of 2020 before the Rent Control Tribunal cum I Additional District Munsif Court, Madurai Town, seeking an order of eviction against the petitioners on the ground that they are not the tenants and are strangers to the petitioners. After full-fledged trial, on 26.11.2024, the learned Rent Controller dismissed the petition.

3.Aggrieved over the same, the respondents/landlords filed R.T.A.No.17 of 2024 before the Rent Control Appellate Tribunal cum VI Additional District Court, Madurai. The said appeal was allowed on



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21.07.2025, reversing the order, dated 26.11.2024. Challenging the same, the petitioners are before this Court.

4.The learned counsel for the petitioners would submit that the respondents/landlords have failed to establish the very existence of a landlord-tenant relationship, which is a foundational requirement for maintaining the eviction proceedings. It is submitted that the burden lies squarely on the respondents to prove that they are the landlords of the subject property and that the petitioners are the tenants. In the absence of such proof, the eviction petition itself is not maintainable.

5.He would further submit that no valid rent receipts or any other documentary evidence has been produced to substantiate tenancy. Mere assertion without supporting evidence cannot be accepted as proof of jural relationship. Therefore, it is submitted that the respondents having failed to discharge their burden of proving the landlord-tenant relationship, the eviction proceedings are liable to be dismissed.

6.*Per contra*, the learned counsel for the respondents would submit that the respondents are the lawful owners of the subject



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property, having valid title and entitlement over it, whereas, the petitioners have neither established any tenancy nor any independent right to remain in possession. It is further submitted that the plea raised by the petitioners is only to protract the proceedings and to unlawfully continue in possession of the property without any legal basis. Therefore, he would submit that the petitioners being strangers to the property and having no right or title, are not entitled to any protection under law. Hence, he prays for dismissal of this petition.

7.Heard the learned counsel on either side and perused the records.

8.Admittedly, the respondents/landlords filed R.L.T.O.P.No.135 of 2020 against the petitioners seeking eviction. The said petition was dismissed on 26.11.2024. Aggrieved over the same, the respondents/landlords preferred R.T.A.No.17 of 2024 and the same was allowed on 21.07.2025, reversing the order dated 26.11.2024. The same is under challenge herein.

9.It is the case of the petitioners that when the landlord-tenant relationship between the respondents and the petitioners is not



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admitted, the respondents/landlords do not have any right to maintain the petition as against them, whereas, it is the case of the respondents that they have let the premises for rent to one Vasudevan, who is now no more, and he has un-authorisedly inducted the petitioners, who are, according to the respondents, are strangers, into the schedule property and that therefore, they liable to be evicted from the property.

10.Be that as it may, upon careful perusal of the pleadings as well as the judgments of the Court below, this Court finds that the petitioners, who claim to be tenants, have failed to establish any semblance of right, title or lawful interest over the subject property. It is a settled principle of law that a tenant, who is in possession under a landlord, is estopped from denying the title of the landlord during the continuance of tenancy. In the present case, the petitioners, without proving their lawful induction into the property, have ventured to question the maintainability of the rent control proceedings. Such a contention is wholly untenable. Further, the attempt of the petitioners to dispute the landlord-tenant relationship cannot be countenanced.



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11.This Court also finds that the conduct of the petitioners in raising untenable and inconsistent pleas is only with a view to protract the proceedings and to avoid eviction. Entertaining such pleas would defeat the very object of the rent control legislation, which is intended to provide speedy and efficacious remedy to the landlords. The lower appellate Court has rightly appreciated the facts and applied the correct principles of law in rejecting the contentions of the petitioners. This Court finds no illegality, irregularity, or perversity in the order impugned warranting interference under Revisional jurisdiction.

12.In fine, the Civil Revision Petition stands dismissed with costs of Rs.25,000. Consequently, connected Miscellaneous Petition is closed.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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To

1.The VI Additional District Judge, Madurai.

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2.The I Additional District Munsif, Madurai Town.

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N.SENTHILKUMAR, J.

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