



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP No. 6408 of 2025

WEB COPY

1. V.Govindarajan
S/o. Veerapan, No.3, Alahar Sannathi
Theru, Nagapattinam Town and District.

Petitioner(s)

Vs

1. R.M.Sundaram.,
S/o. Muthudhandapani Chettiyar, No.6/1,
Bundariga Kulam, North Bank,
Nagapattinam District.

Respondent(s)

For Petitioner(s): A.Mohamed Ismail

For Respondent(s): R.Ganesan

ORDER

Heard Mr.A.Mohamed Ismail, learned counsel for the petitioner and
Mr.R.Ganesan, learned counsel for the respondent.

2. The petitioner has challenged the concurrent orders of eviction passed by
the Rent Court and confirmed by the Rent Tribunal.

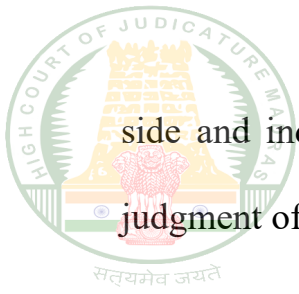


3. The primordial submission of the learned counsel for the petitioner is that

the petitioner did not have a contract with the respondent and there is no jural relationship of landlord and tenant to enable the respondent to invoke the provisions of Section 21 of TNRRRL Act. Further, it is the contention of the learned counsel for the petitioner that the land belongs to the Temple and the issue was already raised by the petitioner pending the RLTOP and in the earlier round of litigation which came to this Court in CRP No.4130 of 2022, this Court by order dated 21.12.2022 had directed the HR & CR authorities to take action in accordance with law against the encroachers after disposal of RLTOP petition. It is therefore the contention of the learned counsel for the petitioner that the respondent cannot claim any right, much less right to evict the petitioner from the property which does not belong to temple.

4. Learned counsel for the respondent, inviting my attention to the documents exhibited on the side of the respondent, would contend that the property which is under the possession and occupation as tenant is admittedly assessed in the name of the respondent in respect of which, property tax receipt and as well as electricity service connection card were filed as Exs.P.5 series and P.6 even before the Rent Court. He would also invite my attention to the rental agreement dated 04.07.2009, which is marked as Ex.P.1.

5. I have carefully considered the submissions of the learned counsel on either



side and independently I have gone through the order passed by the Rent Court and judgment of the Rent Tribunal.

WEB COPY

6. The courts have rightly found that the petitioner has not been able to establish that he was tenant under the respondent's son and not under the respondent. I do not see any infirmity in the findings arrived at by the Courts below warranting interference in this revision and that too, in Article 227 of the Constitution of India, when the order of the Rent Tribunal has become final under the provisions of the Act.

7. At this juncture, learned counsel for the petitioner seeks for reasonable time to enable the petitioner to vacate and hand over vacant possession.

8. Learned counsel for the respondent would bring to my notice that the petitioner is in arrears of Rs.72,000/-(Rupees Seventy Two Thousand Only) as of now and if any indulgence is to be shown to the petitioner, the petitioner shall be called upon to pay the entire arrears and also submits that execution petition is also pending.

9. In the light of the above, even though, I am inclined to dismiss the revision, it may be called on 06.01.2026 "for orders" to enable the revision petitioner to come up with an undertaking affidavit.



WEB COPY



P.B.BALAJI.,J

sr

Post “for orders” on 06.01.2026.

16.12.2025

sr

CRP No.6408 of 2025